



**I.**  
**Introduction**

1. The COVID-19 pandemic has impacted every aspect of American life. Governments throughout the world have grappled with how to balance of protection of the health of their citizens and yet maintain a semblance of normalcy in civilian life as it existed prior to the pandemic. In America, founded on a tradition of liberty that is enshrined in our Constitution, governments, governors and courts in several states have grappled with how to strike a proper balance between legitimate authority of public officials to responsibly deal with health considerations posed by the pandemic and yet respect the Constitutional rights of citizens.

2. This case challenges the constitutional and statutory authority of the Mayor of Williamson County Tennessee to impose, by local Executive Declaration and Order, a series of mask mandates by invoking an unauthorized delegation of executive authority from the Governor of the State of Tennessee under the Emergency Management Powers Act, (“the Act”), codified at Tenn. Code Ann. § 58-2-101, *et seq.*

3. Specifically, this action seeks a declaration that the actions by the Mayor of Williamson County, Tennessee as set forth in the Declarations and Orders issued by him on July 6, 2020, August 3, 2020, October 22, 2020 and October 30, 2020 exceed the authority conferred by the Tennessee General Assembly in Tenn. Code Ann. § 58-2-101, *et seq.* and are otherwise in contravention of the separation of powers provision in Article II, Section 2 of the Constitution of the State of Tennessee. Plaintiffs also seek injunctive relief enjoining the unlawful exercise of executive powers by the Defendant Rogers C. Anderson and all those acting in concert with him under the auspices of the government of

Williamson County, Tennessee who are acting pursuant to this unlawful delegation of executive authority.

4. This case is not about whether the State of Tennessee, as a whole, or local counties and municipalities should take appropriate measures to thwart COVID-19, or what those measures (statewide or local) should be. It is not even about whether there can ever be a mask mandate. This case is about whether a local county mayor may, without any legislative approval or constitutional or statutory authority, unilaterally declare and sequentially impose for months at a time, restrictions on the personal liberties of Williamson County residents that do not apply to other Tennesseans residing in counties across the State of Tennessee.

## **II. Jurisdiction and Venue**

5. This court is vested with jurisdiction to adjudicate all of the issues presented herein pursuant to Tenn. Code Ann. § 29-1-143 and Tenn. Code Ann. § 29-14-102.

6. Venue in this Court is proper pursuant to Tenn. Code Ann. §20-4-101.

## **III. Parties**

1. Citizens For Limited Government and Constitutional Integrity, Inc., d/b/a Tennessee Stands (“Tennessee Stands”) is a nonprofit, Tennessee corporation organized and existing under the laws of the State of Tennessee. It is comprised of citizens and residents of the State of Tennessee and Williamson County, and advocates on their behalf for the promotion of governmental respect for the constitutional rights of citizens. Tennessee Stands brings this action asserting associational standing on behalf of its

members across Williamson County, Tennessee who are adversely impacted by the unlawful enforcement of the Declarations issued by the Defendants.

2. Gary P. Humble an adult citizen and resident of Williamson County, Tennessee. He is required to follow the mandates unlawfully issued by Mayor Rogers Anderson or face criminal prosecution.

3. Rodney H. Lunn, Jr. is an adult citizen and resident of Williamson County, Tennessee. He is required to follow the mandates unlawfully issued by Mayor Rogers Anderson or face criminal prosecution.

4. Michael Grier is an adult citizen and resident of Williamson County, Tennessee. He is required to follow the mandates unlawfully issued by Mayor Rogers Anderson or face criminal prosecution.

5. Caren Calden is an adult citizen and resident of Rutherford County, Tennessee. She is the owner and operator of a business in Williamson County that is suffering a loss of clientele due to the mandates unlawfully issued by Mayor Rogers Anderson.

6. Lisa Asselin is an adult citizen and resident of Williamson County, Tennessee. She is required to follow the mandates unlawfully issued by Mayor Rogers Anderson or face criminal prosecution.

7. Kate Butler is an adult citizen and resident of Williamson County, Tennessee. She is required to follow the mandates unlawfully issued by Mayor Rogers Anderson or face criminal prosecution.

8. The Defendant Rogers C. Anderson is an adult citizen and resident of Williamson County and is the Mayor of Williamson County, Tennessee. He is sued in his official capacity.

9. Williamson County, Tennessee is a local body politic that exists as a subdivision of the State of Tennessee, and its agents, employees and government officials are charged with the responsibility for enforcing the Declarations and Order of Mayor Rogers C. Anderson that are in question in this case.

10. Pursuant to Tenn. Code Ann. § 29-14-107 and Rule 24.04 Tenn.R.Civ.P, because the statute, Tenn. Code Ann. § 58-2-107, is alleged to be unconstitutional, as applied in this case, the Attorney General of the State of Tennessee is also being served with a copy of this Complaint.

#### **IV. Facts**

11. Tenn. Code Ann. § 58-2-107 empowers the Governor to determine whether a state of emergency exists. An emergency can either be a “disaster” or “state of emergency.” An “emergency” is defined as “an occurrence, or threat thereof, whether natural, technological, or manmade, in war or in peace, that results or may result in substantial injury or harm to the population, or substantial damage to or loss of property; provided, that natural threats may include disease outbreaks and epidemics.” Tenn. Code Ann. § 58-2-101(7).

12. Once the Governor determines that a “emergency” exists, he, or his designee, may issue an executive order or proclamation declaring a state of emergency. Tennessee law limits the duration of such a state of emergency to no longer than sixty (60) days unless renewed by the Governor. Tenn. Code Ann. § 58-2-107(b)(2).

13. Once a state of emergency has been declared by the Governor, certain emergency powers that are, on their face, extraordinarily broad become available to the Governor pursuant to the statute.

14. Nowhere within the Emergency Powers Act, as codified at Tenn. Code Ann. § 58-2-101, *et seq.*, did the Legislature grant the authority to the Governor to further delegate the broad powers enumerated in the Act to local county mayors to determine in their own discretion whether to issue county-wide executive orders imposing some or all of the Governor's declared emergency measures.

15. On July 3, 2020, Governor Bill Lee issued Executive Order No. 54. (A copy of Executive Order No. 54 is attached hereto as Exhibit A). In this Executive Order, the Governor delegated his executive authority, without legislative approval, to eighty-nine (89) county mayors across the state of Tennessee. While the Governor did not himself issue any state-wide mask mandate, his Executive Order No. 54 granted unbridled discretion to the local mayors whether to impose such mandates. The Executive Order further granted authority to the county mayors to make their mandates at the local level enforceable by law pursuant to Tenn. Code Ann. § 58-2-120 with a violation resulting in a Class A misdemeanor.

16. On July 6, 2020, Mayor Rogers Anderson issued a "Declaration of Public Health Emergency" that took effect at 11:59 p.m. on July 7, 2020, and expired on August 3, 2020 at 11:59 p.m. (A true and correct copy of this Declaration is attached hereto as Exhibit B and is incorporated herein by reference.) This Declaration by Mayor Anderson mandated, under penalty of criminal prosecution, that all citizens wear facial covering in public places.

17. This July 6, 2020 Declaration by Mayor Anderson provided the following two bases of authority to impose these mandatory restrictions on the citizens of Williamson County.

WHEREAS, Governor Lee, through Executive Order 54, **delegated authority to county mayors in the 89 counties** that do not have a locally-run health department (including Williamson County) to issue orders requiring the wearing of face coverings within their jurisdictions, subject to certain limitations, for the purposes of slowing the spread of COVID-19; and

This local order constitutes an order **promulgated pursuant to Tennessee Code Annotated, Title 58, Chapter 2, Part 1**. While it is the hope and expectation that Williamson County citizens will comply with this Order out of a sense of civic duty and respect for their fellow citizens, and attempts at education and communication are the preferred methods of obtaining compliance, state law provides for enforcement of this Order if necessary. Pursuant to Executive Order 54 and Tennessee Code Annotated §58-2-120, violation of this Order shall constitute a Class A misdemeanor.

(emphasis added).

18. The mandated restrictions imposed under the July 6, 2020 Declaration were as follows:

IT IS ORDERED that cloth or other face coverings that cover the nose and mouth of a person to impede the spread of the virus during speaking, coughing, sneezing or other action, shall be required in Williamson County, Tennessee, within all publicly-accessible areas of commercial business establishments; in public outdoor areas where social distancing of at least six feet cannot be maintained; and within the publicly-accessible areas of business offices where there is direct interaction with the public and social distancing of at least six feet cannot be maintained. A "commercial business establishment" means any establishment that sells goods or services, or a combination thereof, including but not limited to grocery stores, restaurants, lobbies and public spaces in hotels and other places of lodging, pharmacies, banks, bars, salons, retail stores, medical and dental offices, and entertainment and sports venues.

19. The July 6, 2020 Declaration by Mayor Anderson contains the following exemptions:

1. Any person who is under age 12;
2. Any person who cannot safely wear a face covering because he/she has trouble breathing due to an underlying health condition or another bona fide medical or health-related reason for not wearing a face covering;
3. Anyone who is incapacitated or otherwise unable to remove a face covering without assistance;
4. Persons in a private residence;
5. Persons who are outdoors, unless the person cannot substantially maintain appropriate 6-foot social distancing from others outside of the person's household;
6. Persons while eating or drinking;
7. Persons in a place of worship (unless a face covering is required by the place of worship), although persons in places of worship are strongly encouraged to wear face coverings to slow the spread of COVID-19;
8. Persons within private motor vehicles, unless such vehicle is being used for public transportation or a vehicle for hire;
9. Persons working under conditions where appropriate social distancing of at least six feet from others outside the person's household is substantially maintained;
10. Persons present in government facilities, or on government premises, who shall be subject to the rules and regulations of the governmental entity operating the facility or premises. Persons present in the public areas of all Williamson County government facilities will wear cloth or other face coverings, subject to the age and health restrictions outlined herein, and subject to number 11, below. Other local governmental entities may issue their own directives regarding their facilities;
11. Persons in a voting site for the purpose of voting or administering an election; although such persons are strongly encouraged to wear face coverings to slow the spread of COVID-19;



12. Persons who are engaging in strenuous exercise and/or physical activity, provided, however, that such persons shall maintain 6-foot social distancing when not wearing a face covering;

13. Persons for whom wearing a face covering would pose a safety or security risk.

(Exhibit A at p.2).

20. On August 3, 2020, Governor Bill Lee issued Executive Order No. 55, extending Executive Order No. 54 through August 29, 2020 and further delegating, without legislative approval or authorization, the powers vested in his office by the General Assembly to county mayors to use their own discretion whether to issue mask mandates in their respective counties. A true and correct copy of Executive Order 55 is attached hereto as Exhibit C and is incorporated herein by reference.)

21. On August 3, 2020, Defendant Rogers Anderson, acting in his capacity as the Williamson County Mayor, issued a second “Declaration of Public Health Emergency” extending the mask mandate and provisions of the July 6, 2020 Order until August 29, 2020. A true and correct copy of the Williamson County Order is attached hereto as Exhibit D and is incorporated herein by reference.)

22. On October 22, 2020, Mayor Rogers Anderson issued a third “Declaration of Public Health Emergency” reinstating again a County-wide mask mandate for residents of Williamson County. (A true and correct copy of this October 22, 2020 mandate is attached hereto as Exhibit E and is incorporated herein by reference).

23. On October 30, 2020, Mayor Rogers Anderson issued a fourth “Declaration of Public Health Emergency” reinstating again a County-wide mask mandate for residents of Williamson County. (A true and correct copy of this October 30, 2020 mandate is

attached hereto as Exhibit F and is incorporated herein by reference). The mandatory restrictions imposed under this latest Declaration took effect at 11:59 p.m. on October 30, 2020, and do not expire until 11:59 p.m. on December 29, 2020.

7. Then enabling statutory provision cited by Mayor Anderson for his Declarations is T.C.A. § 58-2-107(a)(1), which states:

The governor is responsible for addressing the dangers presented to this state and its people by emergencies. In the event of an emergency beyond local control, the governor, or, in the governor's absence, the governor's successor as provided by law, may assume direct operational control over all or any part of the emergency management functions within this state, and such person has the power through proper process of law to carry out this chapter. The governor is authorized to delegate such powers as the governor may deem prudent.

24. In its enactment of Tenn. Code Ann. § 58-2-107, the General Assembly did not grant to the Governor the power, right or authority to further delegate to local public officials the broad powers conferred in this statute.

25. Despite this lack of legislative grant of authority, the effect of Mayor Anderson's exercise of this unauthorized and unconstitutional delegation of power is to arrogate to a local mayor the power to unilaterally make law for an indefinite period of time.

26. In addition, residents of Williamson County are arbitrarily subjected to greater restrictions on their individual liberties than their fellow Tennesseans who reside in other counties and whose mayors or chief executives have imposed such stringent mandates. Specifically, as of October 30, 2020, the following counties within the State of Tennessee do not impose a mask mandate: Cheatham, DeKalb, Dickson, Hickman, Humphreys, Jackson, Maury, Putnam, Robertson, Wilson and Henry.

27. In order to further the enforcement of its unauthorized mask mandates, until November 4, 2020, Williamson County maintained on its Internet website a “Mask Non-Compliance Reporting Form”: <https://www.franklin.tn.gov/our-city/covid-19-updates/mask-non-compliance-reporting-form>

28. This form provided automated access to county-operated website for individuals to serve as criminal informants subjecting citizens of Williamson County to possible criminal prosecution if an unverified report is made alleging their non-compliance with the county’s unauthorized mask mandate imposed by the Mayor’s executive declarations. (A copy of this form is attached hereto as Exhibit G.)

29. Pursuant to the Governor’s Executive Order 54 and Tennessee Code Annotated §58-2-120, violation of this Order shall constitute a Class A misdemeanor.

30. The Governor’s Executive Order 54 did not impose a state-wide mandate on the wearing of masks. It only urges people to wear face coverings in public places. (See Exhibit A at ¶ 1).

31. In paragraph 2 of this same Executive Order 54, Governor Lee, without any such authority by the General Assembly, and without any power under Tenn. Code Ann. § 58-2-107 to delegate this broad power, grants to local county mayors authority to impose mask mandates.

2. Specific delegation of authority to issue orders concerning face coverings. Notwithstanding anything to the contrary in Paragraph 13.b. of Executive Order No. 38 (as extended by Executive Order No. 50, and as may be subsequently extended), county mayors in the 89 counties that do not have a locally run county health department shall have the authority to issue orders or measures requiring or recommending the wearing of face coverings within their jurisdictions, consistent with Paragraph 3 of this order.

(See Exhibit A at ¶ 2).

32. Acting pursuant to this unlawful delegation of authority, on October 30, 2020, the Mayor of Williamson County, Tennessee issued a “Declaration of Public Health Emergency” which not only imposed a mask mandate, but further subjected the citizens of Williamson County to criminal prosecution for their failure to abide by this mandate.

33. As a direct and proximate consequence of the Defendants’ exercise of unlawful authority, and by virtue of the extraordinary measures imposed by Mayor Anderson’s “Declarations of Public Health Emergency”, the following Plaintiffs have been, and continue suffer distinct, palpable and specialized injuries that are real and not speculative and distinct from those of the undifferentiated mass of the public in Williamson County.

- a. Caren Calden is a licensed cosmetologist and is the owner and operator of a salon in Williamson County called “C.C. Styles” located at 615 Bakers Bridge Avenue, Suite 51, Franklin, TN 37067. Because of the Defendants’ mask mandate, the building owner and his employees stop potential patrons and clients (without masks) at the entrance to the building, blocking them from accessing Ms. Calden’s business. The State Department of Cosmetology, which issued Ms. Calden’s license, does not require that cosmetologists wear masks. The impact of the Mayor’s Declaration on October 30, 2020, has interfered with the Plaintiff, Ms. Calden’s business and otherwise continues to impede commerce by her salon.
- b. Michael Grier is an adult citizen and resident of Williamson County, Tennessee. Mr. Grier is a paying member of an exercise facility known as Planet Fitness in Williamson County, Tennessee. On or about October 30,

2020, he was approached by a City of Franklin Police officer while exercising at the Planet Fitness location on Highway 96 in Franklin, Tennessee, and ordered to leave the premises because he did not wear a mask when entering this business. Other patrons of the business who refrained from wearing masks while exercising at the business were not disturbed or ordered to leave. Mr. Grier has not returned to this fitness location and has been unable to exercise his paid for privileges for fear of criminal arrest and prosecution. Mr. Grier's membership at Planet Fitness was subsequently received via email a written notice of cancellation of his membership from Planet Fitness.

- c. Plaintiff Lisa Asselin is an adult citizen and resident of Williamson County, Tennessee, and is the owner of a salon known as Ecco Salon located at 341 Main Street, Franklin, TN 37064. Ms. Asselin has suffered, and continues to suffer, economic loss to her business as a direct consequence of the Declaration of Public Health Emergency issued by Mayor Anderson on October 30, 2020.
- d. Plaintiff Kate Butler is an adult citizen and resident of Williamson County, Tennessee, and is the owner of a business known as Concordia Arts Academy located at 4615 Thompsons Ridge Road, Thompson's Station, Tennessee 37179. For the last several years, Concordia Arts Academy has offered music and dance instruction, as well as classes on theatre and music appreciation. As a direct result of the Declaration of Public Health Emergency issued by Mayor Anderson and the mandatory mask mandates,

Ms. Butler's business has experienced a significant decline and her clientele and economic loss.

34. The injuries suffered by the Plaintiffs are capable of redress by a favorable ruling from this Court granting the requested relief.

**V.**  
**Causes of Action**

**CLAIM ONE**

**FOR A DECLARATION THAT THE CURRENT EXECUTIVE ORDER ISSUED BY THE WILLIAMSON COUNTY MAYOR EXCEEDS STATUTORY AUTHORITY AND IS VOID BECAUSE THE LEGISLATURE DID NOT GRANT SUCH AUTHORITY TO LOCAL PUBLIC OFFICIALS.**

35. Plaintiffs reallege and incorporate by reference all allegations made in this complaint as if fully set forth herein.

36. In 1834, Tennessee adopted the following provision in Article II, Section 2 of the Tennessee Constitution.

No person or persons belonging to one of these departments shall exercise any of the powers properly belonging to either of the others, except in the cases herein directed or permitted.

Constitution of the State of Tennessee. Distribution of Powers. Article 2 § 2.

37. The Constitution that Tennessee adopted in 1796 provided for the same separation of the powers of government, but did not contain the express prohibition against one department exercising the powers or functions of the others.

38. As the chief executive of the State of Tennessee, the Governor has no prerogative powers, but only such powers as are vested in him by the Constitution; all sovereign power being vested in the people. Tenn. Const. Art. I, § 1.

39. Governor William B. Lee has no power to create law unilaterally or to grant unto himself powers beyond those conferred by the legislature. The power to make laws is vested in the General Assembly. Tenn. Const. Art. II, § 3.

40. Williamson County Mayor Anderson cites to two bases for his authority to issue the Declaration of Public Health Emergency on October 30, 2020. The first such basis for this extraordinary power is in the preamble of the Declaration and cites to Governor Lee's delegation of this authority to county mayors:

WHEREAS, Governor Lee, through Executive Order 54, **delegated authority to county mayors in the 89 counties** that do not have a locally-run health department (including Williamson County) to issue orders requiring the wearing of face coverings within their jurisdictions, subject to certain limitations, for the purposes of slowing the spread of COVID-19;

(Exhibit C, p. 1; emphasis added).

41. The second basis cited by Mayor Anderson is the statute itself, Tenn. Code Ann. § 58-2-101, *et seq.*

This local order constitutes an order promulgated pursuant to Tennessee Code Annotated, Title 58, Chapter 2, Part . . .

(*Id.* at p. 2).

42. Governor William B. Lee has no power to create law unilaterally or to grant unto himself powers beyond those conferred by the legislature. The power to make laws is vested in the General Assembly. Tenn. Const. Art. II, § 3.

43. Williamson County Mayor Anderson's reliance on an unconstitutional delegation of authority from the Governor of the State of Tennessee, and his further reliance on the statute itself – which nowhere confers such broad authority on county mayors – exceeds his power under the Tennessee Constitution and is ultra vires and void.

44. Unless this Court declares that the mandates imposed by Mayor Anderson's Declaration issued on October 30, 2020 is ultra vires and void, Defendant Anderson will continue to exercise broad executive powers that are unlawful and in contravention of the Tennessee Constitution and state statutes.

## CLAIM TWO

**IN THE ALTERNATIVE, OR IN ADDITION TO, FOR A DECLARATION THAT THE DECLARATION OF CONTINUED PUBLIC HEALTH EMERGENCY DECLARED BY MAYOR ANDERSON AND, CONSEQUENTLY, THE MASK MANDATE ORDERED BY THIS DECLARATION ARE UNCONSTITUTIONAL.**

45. Plaintiffs reallege and incorporate by reference all allegations made in this complaint as if fully set forth herein.

46. If for any reason this Court determines that the Declaration of Public Emergency issued by Mayor Anderson on October 30, 2020 is authorized by statute, then the Plaintiffs request a declaration that the statute allowing this Declaration of Public Emergency, and consequently, the mask mandate ordered in this Declaration are unconstitutional.

47. The Tennessee Constitution vests in legislative power of the state in the General Assembly. Tenn. Const. Art. 2, § 2. Only the General Assembly may constitutionally delegate this legislative authority.

48. Under Article II, section 3 of the Tennessee Constitution, the state's legislative power is vested in the General Assembly. The separation of powers doctrine dictates that the General Assembly may not delegate "purely legislative" power to an



executive branch agency. *Boyce v. Tennessee Peace Officer Standards and Training Com'n*, 354 S.W.3d 737, 741 (Tenn.Ct.App. 2011).

49. The ability to declare a public health emergency and impose the extraordinary emergency powers granted to the Governor under Tenn. Code Ann. § 58-2-101, *et seq.*, were powers conferred only on the Governor of the State; it was not extended by the General Assembly to the 89 county mayors across the state to implement as they deem fit.

50. Those powers conferred upon the Governor may only be lawfully exercised if they are done consistently with the Tennessee Constitution. There is no pandemic exception to the fundamental liberties the Constitution safeguards.

51. If Tenn. Code Ann. § 58-2-101 allows the Mayors of the various counties in Tennessee to pick and choose which powers conferred within this statute to impose, within their individual discretion, then the statute is an unconstitutional delegation of legislative power to the local chief executives within the 95 counties in Tennessee.

### CLAIM THREE

**PLAINTIFFS SEEK INJUNCTIVE RELIEF TO ENJOIN AND RESTRAIN THE ENFORCEMENT OF THE DEFENDANTS' CURRENT DECLARATION AS AN UNCONSTITUTIONAL ABUSE OF GOVERNMENT AUTHORITY.**

52. Plaintiffs reallege and incorporate by reference all allegations made in this complaint as if fully set forth herein.

53. The Plaintiffs, and each of them, are subject to risk of criminal prosecution under the current Declaration and Order issued by the Defendants, and are at further risk

of irreparable harm unless this Court enjoins the enforcement of the current October 30, 2020 Declaration.

54. Alternatively, the Plaintiffs request that this Court issue an order permanently enjoining and restraining the enforcement of Tenn. Code Ann. § 58-2-107, as applied to residents of Williamson County by means of the Declaration issued by the Defendants.

WHEREFORE, premises considered, the Plaintiffs request the following relief:

1. That they be allowed to file this Complaint and that process issue to the named Defendants requiring them to respond within the time prescribed by the Tennessee Rules of Civil Procedure;

2. That this Court declare upon final hearing that the Declaration issued by the Defendant Rogers C. Anderson, in his official capacity as Mayor of Williamson County, Tennessee on October 30, 2020, and any subsequent such Declaration, is null and void and in contravention of both the statute, Tenn. Code Ann. § 58-2-107, as well as the Constitution of the State of Tennessee;

3. That, alternatively, this Court declare upon final hearing that Tenn. Code Ann. § 58-2-107, as applied in this case, constitutes an unlawful delegation of legislative authority;

4. That this Court declare upon final hearing that the Defendants are without authority under any purported delegation by the Governor of the State of Tennessee to impose or enforce a mask mandate upon the Plaintiffs or the citizens of Williamson County, Tennessee;

5. That this Court declare upon final hearing that the public health mandates, including the mask mandate, as imposed in the “Declaration of Public Health Emergency” issued by the Mayor of Williamson County, Tennessee on October 30, 2020, is null and void;

6. That upon final hearing this Court issue and order enjoining and restraining the Defendants, and all employees, agents and law enforcement acting in concert therewith, from enforcing the provisions of the “Declaration of Public Health Emergency” issued by the Defendants on October 30, 2020;

7. For such further and general relief as to which the Plaintiffs may be entitled, including the costs of this action.

Respectfully submitted,



CRAIN LAW GROUP, PLLC

By:

A handwritten signature in cursive script, appearing to read "Larry Crain", written over a horizontal line.

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2020 Nov 09 10:46 AM - 20CV-49908  
Williamson County, Clerk & Master

EXHIBIT A



STATE OF TENNESSEE  
**EXECUTIVE ORDER**  
BY THE GOVERNOR

No. 54

**AN ORDER PROVIDING LOCAL GOVERNMENTS WITH AUTHORITY CONCERNING  
FACE COVERINGS**

**WHEREAS**, Coronavirus Disease 2019 (COVID-19) remains a threat to our citizens, our healthcare systems, and our economy, and each Tennessean should continue to protect themselves and others by following applicable health guidance from the Centers for Disease Control and Prevention (CDC) and other leading medical experts to slow the spread of this virus, including practicing social distancing, effective personal hygiene practices, and “wear[ing] 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**, importantly, wearing a cloth face covering is a simple step that each Tennessean can take to slow the spread of the virus, which prevents having to take more drastic and disruptive measures for our economy and job market, like requiring the closure of businesses; and

**WHEREAS**, whether to require or recommend wearing a face covering may depend on the spread of COVID-19 or lack thereof in a particular community, which varies widely across the State, and local governments are therefore better positioned to make this decision based on the conditions in their communities; and

**WHEREAS**, in addition to the other powers granted by law, Tennessee Code Annotated, Section 58-2-107, provides, among other things, that during a state of emergency, the Governor is authorized to suspend laws and rules regarding the conduct of state business if necessary to cope with an emergency, utilize all available state and local resources needed to combat an emergency, and take measures concerning the conduct of civilians and the calling of public meetings and gatherings, among other things, as well as delegate such powers as the governor may deem prudent; and

**WHEREAS**, pursuant to this authority and the general emergency management powers of the Governor under law, the temporary suspension of selected state laws and rules and the other measures contained herein are necessary to facilitate the response to the ongoing effects of the emergency resulting from COVID-19.

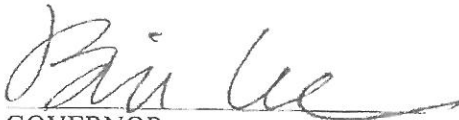
**NOW THEREFORE**, I, Bill Lee, Governor of the State of Tennessee, by virtue of the power and authority vested in me by the Tennessee Constitution and other applicable law, do hereby declare a continuing state of emergency and major disaster in order to facilitate the response to COVID-19 and accordingly order the following:

1. Persons are urged to wear face coverings in public places. To reiterate Paragraph 5 of Executive Order No. 38 (as extended by Executive Order No. 50), in accordance with CDC guidance, persons, including employees or customers of businesses, are strongly urged to wear cloth face coverings or other similar coverings in public settings where being in close proximity to others is anticipated, and particularly where other social distancing measures are difficult to maintain at all times. Such cloth face coverings can be created from household items or made at home from common materials at low cost. Cloth face coverings should not be placed on young children under age 2, anyone who has trouble breathing, or anyone who is incapacitated or otherwise unable to remove the mask without assistance. Surgical masks and N-95 respirators should be reserved for health care workers and first responders.
2. Specific delegation of authority to issue orders concerning face coverings. Notwithstanding anything to the contrary in Paragraph 13.b. of Executive Order No. 38 (as extended by Executive Order No. 50, and as may be subsequently extended), county mayors in the 89 counties that do not have a locally run county health department shall have the authority to issue orders or measures requiring or recommending the wearing of face coverings within their jurisdictions, consistent with Paragraph 3 of this order.
3. Contents of local orders. Orders or measures issued by county mayors pursuant to this Order should be consistent with CDC guidance and may have such exemptions as deemed advisable, provided that, at a minimum, there shall be no requirement that a face covering be worn:
  - i. Within one's residence or automobile, unless transporting others for hire;
  - ii. By a child twelve (12) years of age or younger;
  - iii. 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;
  - iv. By someone who is incapacitated or otherwise unable to remove the cloth face covering without assistance;

- v. While eating or drinking;
  - vi. While outdoors, unless the person cannot substantially maintain appropriate social distancing from others outside of the person's household;
  - vii. While working under conditions where appropriate social distancing from others outside of the person's household is substantially maintained;
  - viii. In situations in which wearing a face covering poses a safety or security risk;
  - ix. While in a house of worship unless required by that house of worship, but wearing a face covering in such locations is strongly encouraged; or
  - x. 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.
4. Suspension of laws that would limit application of this Order. Any law, order, rule, or regulation that would otherwise limit the enforceability of this Order is hereby suspended, pursuant to Tennessee Code Annotated, Section 58-2-107.
  5. Nothing preempts or supersedes any authority of bodies in six counties with a locally run county health department. Nothing herein or in Paragraphs 5 or 13 of Executive Order No. 38 (as extended by Executive Order No. 50, and as may be subsequently extended) preempts or supersedes any existing authority, as provided by executive order, statute, charter, or otherwise, of a locally run county health department, board of health, official, or local legislative body, located in a county with a locally run county health department, to issue or enact orders, ordinances, rules, or law regarding face coverings to mitigate the spread of COVID-19. Executive Order No. 38 (as extended by Executive Order No. 50, and as may be subsequently extended) is hereby amended to the extent necessary to effectuate this Paragraph 5, which amendment shall survive expiration or termination of this Order.
  6. Effect of Order. A local order promulgated under the authority delegated by this Order constitutes an order, rule, or regulation promulgated pursuant to Tennessee Code Annotated, Title 58, Chapter 2, Part 1, for purposes of Tennessee Code Annotated, Section 58-2-120.
  7. Severability. If any provision of this Order or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Order which can be given effect without the invalid provision or application, and to that end the provisions of this Order are declared to be severable.

8. Term and effective date. This Order shall be effective upon execution and shall remain in effect until 11:59 p.m., Central Daylight Time, on August 3, 2020.

IN WITNESS WHEREOF, I have subscribed my signature and caused the Great Seal of the State of Tennessee to be affixed this 3rd day of July, 2020.

  
GOVERNOR

ATTEST:

  
SECRETARY OF STATE





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2020 Nov 09 10:46 AM - 20CV-49908  
Williamson County, Clerk & Master

EXHIBIT B

**Rogers C. Anderson**  
Williamson County Mayor



## WILLIAMSON COUNTY GOVERNMENT

July 6, 2020

### DECLARATION OF PUBLIC HEALTH EMERGENCY BY WILLIAMSON COUNTY MAYOR

**WHEREAS**, the President of the United States, the Governor of the State of Tennessee, and the Mayors of a number of municipalities in the state of Tennessee have made emergency declarations related to the COVID-19 pandemic, and have recognized it as a public health emergency; and

**WHEREAS**, the Centers for Disease Control and Prevention (CDC) and Tennessee Department of Health (TDH) advise the use of cloth or other types of face coverings to slow the spread of COVID-19; and

**WHEREAS**, immediate action to slow the spread of COVID-19 in our communities is necessary in order to be able to safely allow governmental operations to continue, businesses to remain open, and schools to reopen in the fall; and

**WHEREAS**, widespread use of face coverings is believed to be effective in slowing the spread of COVID-19 by reducing the chances of symptomatic and asymptomatic people transmitting the virus to others, especially when used together with other protocols including 6-foot social distancing and hand hygiene; and

**WHEREAS**, on July 3, 2020, Governor Bill Lee signed Executive Order 54, strongly urging all persons to wear cloth face coverings or other similar coverings in public settings where being in close proximity to others is anticipated, and

**WHEREAS**, Governor Lee, through Executive Order 54, delegated authority to county mayors in the 89 counties that do not have a locally-run health department (including Williamson County) to issue orders requiring the wearing of face coverings within their jurisdictions, subject to certain limitations, for the purposes of slowing the spread of COVID-19; and

**WHEREAS**, the numbers of positive COVID-19 cases in Williamson County and surrounding counties have significantly increased in the last thirty days; and

**WHEREAS**, widespread use of face coverings is a preferred alternative to the continued closure of schools and the closure of businesses in our community, which closures would likely become necessary if action is not taken; and

**WHEREAS**, after consultation with the Mayors of the various municipalities of Williamson County and the School Superintendents for the two school districts within the County, the County Mayor finds that there is a consensus that the wearing of cloth or other face coverings should be required in certain circumstances, and that such a requirement should take effect as soon as possible;

**NOW, THEREFORE, PURSUANT TO THE AUTHORITY DELEGATED BY EXECUTIVE ORDER 54 AND PURSUANT TO GOVERNOR LEE'S RECOGNITION OF A CONTINUING STATE OF EMERGENCY AND MAJOR DISASTER RELATED TO COVID-19**, the Mayor of Williamson County, Tennessee, after consultation with the Mayors of the various municipalities within Williamson County and the School Superintendents for the two school districts within the County, issues a Declaration of Emergency related to the COVID-19 pandemic, and

**IT IS ORDERED** that cloth or other face coverings that cover the nose and mouth of a person to impede the spread of the virus during speaking, coughing, sneezing or other action, shall be required in Williamson County, Tennessee, within all

publicly-accessible areas of commercial business establishments; in public outdoor areas where social distancing of at least six feet cannot be maintained; and within the publicly-accessible areas of business offices where there is direct interaction with the public and social distancing of at least six feet cannot be maintained. A "commercial business establishment" means any establishment that sells goods or services, or a combination thereof, including but not limited to grocery stores, restaurants, lobbies and public spaces in hotels and other places of lodging, pharmacies, banks, bars, salons, retail stores, medical and dental offices, and entertainment and sports venues.


**IT IS FURTHER ORDERED** that this Order does not apply to:

1. Any person who is under age 12;
2. Any person who cannot safely wear a face covering because he/she has trouble breathing due to an underlying health condition or another bona fide medical or health-related reason for not wearing a face covering;
3. Anyone who is incapacitated or otherwise unable to remove a face covering without assistance;
4. Persons in a private residence;
5. Persons who are outdoors, unless the person cannot substantially maintain appropriate 6-foot social distancing from others outside of the person's household;
6. Persons while eating or drinking;
7. Persons in a place of worship (unless a face covering is required by the place of worship), although persons in places of worship are strongly encouraged to wear face coverings to slow the spread of COVID-19;
8. Persons within private motor vehicles, unless such vehicle is being used for public transportation or a vehicle for hire;
9. Persons working under conditions where appropriate social distancing of at least six feet from others outside the person's household is substantially maintained;
10. Persons present in government facilities, or on government premises, who shall be subject to the rules and regulations of the governmental entity operating the facility or premises. Persons present in the public areas of all Williamson County government facilities will wear cloth or other face coverings, subject to the age and health restrictions outlined herein, and subject to number 11, below. Other local governmental entities may issue their own directives regarding their facilities;
11. Persons in a voting site for the purpose of voting or administering an election; although such persons are strongly encouraged to wear face coverings to slow the spread of COVID-19;
12. Persons who are engaging in strenuous exercise and/or physical activity, provided, however, that such persons shall maintain 6-foot social distancing when not wearing a face covering;
13. Persons for whom wearing a face covering would pose a safety or security risk.

**IT IS FURTHER ORDERED** that businesses and facilities subject to this Order shall post signage at public entrances informing patrons of the requirement to wear a mask within the establishment, and shall enforce the requirement within the establishment.

This local order constitutes an order promulgated pursuant to Tennessee Code Annotated, Title 58, Chapter 2, Part 1. While it is the hope and expectation that Williamson County citizens will comply with this Order out of a sense of civic duty and respect for their fellow citizens, and attempts at education and communication are the preferred methods of obtaining compliance, state law provides for enforcement of this Order if necessary. Pursuant to Executive Order 54 and Tennessee Code Annotated §58-2-120, violation of this Order shall constitute a Class A misdemeanor.

This Order shall become effective at 11:59 p.m. on Tuesday, July 7, 2020, and will expire on August 3, 2020 at 11:59 p.m., unless sooner cancelled or unless extended.

  
Rogers Anderson, Mayor  
Williamson County, Tennessee

ELECTRONICALLY FILED  
2020 Nov 09 10:46 AM - 20CV-49908  
Williamson County, Clerk & Master

EXHIBIT C



STATE OF TENNESSEE  
**EXECUTIVE ORDER**  
BY THE GOVERNOR

No. 55

**AN ORDER TO FACILITATE AND RESPOND TO CONTINUING EFFECTS OF COVID-19  
BY AMENDING PRIOR EXECUTIVE ORDERS**

**WHEREAS**, each Tennessean should continue to protect themselves and others by following applicable health guidance from the Centers for Disease Control and Prevention (CDC) and other public health authorities to slow the spread of Coronavirus Disease 2019 (COVID-19), including practicing effective social distancing, personal hygiene measures, and usage of face coverings; and

**WHEREAS**, COVID-19 remains a threat to our citizens, our healthcare systems, and our economy, requiring ongoing regulatory flexibility to cope with continuing effects and risks due to the COVID-19 emergency; and

**WHEREAS**, the Centers for Medicare and Medicaid Services has recommended the establishment of certain nursing facilities for residents who become COVID-positive in order to protect other residents and provide additional flexibility for health care system capacity; and

**WHEREAS**, measures should be taken to promote the safety and health of teachers, school administrators, staff, volunteers, and students and mitigate the spread of COVID-19 in K-12 schools and institutions of higher education, which are designed to keep schools open and promote student success; and

**WHEREAS**, athletics should continue because they are an important part of education and community and provide many benefits for student-athletes, though commonsense precautions must be taken due to COVID-19 as part of any athletic activity; and

**WHEREAS**, pursuant to Tennessee Code Annotated, Section 58-2-107, and other general emergency and management powers of the Governor under law, the temporary suspension of selected state laws and rules and the other measures contained herein are necessary to facilitate the response to the ongoing effects of the emergency resulting from COVID-19.

**NOW THEREFORE**, I, Bill Lee, Governor of the State of Tennessee, by virtue of the power and authority vested in me by the Tennessee Constitution and other applicable law, do

hereby declare that a state of emergency continues to exist in Tennessee and accordingly order the following:

Effective immediately, Executive Order No. 36, dated May 12, 2020, as extended by Executive Order No. 50, dated June 29, 2020, is amended by adding the following new paragraphs:

- 23.6 Commercial driver licenses with medical cards are extended until September 29, 2020. The provisions of Tennessee Code Annotated, Section 55-50-413, are hereby suspended to the extent necessary to delay the cancellation of a Class A, B, or C driver license with a medical card issued for more than ninety (90) days that is set to expire between March 12, 2020, and September 29, 2020. Class A, B, and C driver license holders affected by this suspension will have until September 30, 2020, to submit a new medical card to the Department of Safety and Homeland Security to avoid cancellation. Renewal requirements shall return to their original schedule in subsequent years. Any Class A, B, or C driver license that was downgraded between July 1, 2020 and the date of this Order shall be converted back to the previous license class if the sole reason for the downgrade was the expiration of Executive Order No. 36. Drivers who, since their last medical certificate was issued, have been diagnosed with a medical condition that would disqualify the driver from operating in interstate commerce, or who, since their last medical certificate was issued, have developed a condition that requires an exemption or Skill Performance Evaluation from FMCSA are not covered under the suspension in this paragraph.
- 23.7 CDL Expiration Extension. The provisions of Tennessee Code Annotated, Sections 55-50-311, 55-50-336, and 55-50-337, are hereby suspended to the extent necessary to delay the expiration of all valid Class A, B, C, PA, PB, and PC driver licenses that are set to expire between March 12, 2020, and September 29, 2020. Class A, B, C, PA, PB, and PC licenses shall instead expire on September 30, 2020. Any Class A, B, C, PA, PB, or PC driver license that was downgraded between July 1, 2020 and the date of this Executive Order shall be converted back to the previous license class if the sole reason for the downgrade was the expiration of Executive Order No. 36.
- 34.1 Designation and Payment for Certain Nursing Facilities as “COVID-19 Skilled Nursing Facilities/Units.” The provisions of Tennessee Code Annotated, Titles 4, 68, and 71 and related regulations and policies are hereby suspended to the extent necessary to provide the Department of Health and the Division of TennCare the necessary authority and discretion to select, designate, and reimburse certain nursing facilities, or units within certain nursing facilities, as “COVID-19 Skilled Nursing Facilities/Units”.
- 34.2 Medicaid Payments to “COVID-19 Skilled Nursing Facilities/Units.” The provisions and requirements of Tennessee Code Annotated, Section 71-5-105, are hereby suspended to the extent necessary to permit the Division of TennCare to implement additional acuity-based payments for Medicaid members in nursing facilities designated as “COVID-19 Skilled Nursing Facilities/Units”.

- 38.2 Licensed alcohol and drug abuse counselors can practice telemedicine. The provisions of Tennessee Code Annotated, Section 63-1-155(a)(1), and any other state or local law, order, rule, or regulation that would limit the application of this Paragraph 38.2 are hereby suspended, retroactively to March 26, 2020, when Paragraph 38.1 suspended provisions of law to permit telemedicine by other licensed health care providers, to the extent necessary to allow telehealth or telemedicine services to be provided by an alcohol and drug abuse counselor licensed under Title 68. This suspension does not otherwise alter or amend an alcohol and drug abuse counselor's scope of practice or record keeping requirements.

Effective immediately, Executive Order No. 38, dated May 22, 2020, is amended by deleting Paragraphs 2.c., 2.d., and 2.e. and substituting instead the following:

- c. Local education agencies and schools shall, notwithstanding any orders or provisions to the contrary, have the authority to permit, but are not required to permit, school-sponsored sporting events and activities, provided that all such activities, including practices and games or competition, must be conducted in a manner consistent with COVID-19-related regulations adopted by the Tennessee Secondary Schools Athletic Association. Non-school-sponsored athletics, including practices and games or competition, must be conducted in a manner consistent with guidance from the Tennessee Economic Recovery Group (i.e., Tennessee Pledge), including further and updated operational guidance to be forthcoming. Collegiate and professional sporting events and activities must be conducted pursuant to the rules or guidelines of their respective governing bodies.

Effective immediately, Executive Order No. 38, dated May 22, 2020, is amended by adding the following new paragraph:

- 12.1 Waiver of application fee to expand premises. The provisions of Tennessee Code Annotated, Title 57, and related rules and other state or local laws, orders, rules, or regulations are temporarily suspended to the extent necessary to waive the \$300.00 application fee for restaurants, limited service restaurants, and all other establishments licensed under Title 57, Chapter 4, that apply to the Alcoholic Beverage Commission to expand the boundary of their premises covered under such license to sell alcoholic beverages for on-premises consumption in response to COVID-19.

Effective immediately, Executive Order No. 53, dated July 1, 2020, regarding limited liability protection for health care providers and hospitals, is amended and extended by adding the following language to the end of Paragraph 4:

This Order is hereby extended for thirty (30) days, and shall continue in effect until 11:59 p.m., Central Daylight Time, on August 30, 2020.

Effective immediately, Executive Order No. 54, dated July 3, 2020, regarding local government authority concerning face coverings, is amended by deleting Paragraph 8 and substituting instead the following:

8. Term and effective date. This Order shall be effective upon execution and shall remain in effect until 11:59 p.m., Central Daylight Time, on August 29, 2020.

Effective immediately, Executive Order No. 54, dated July 3, 2020, is amended by adding the following new paragraph:

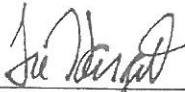
9. Face coverings in schools and higher education institutions. Local education agencies, schools, and institutions of higher education are strongly encouraged to implement a policy requiring the use of face coverings by students and staff, with appropriate exemptions, and consistent with any policies issued by the Tennessee Department of Education. No policy, local order, or official may prohibit a student, teacher, school employee or contractor, or visitor from voluntarily wearing a face covering except to the extent that such face covering presents a safety or security risk.

IN WITNESS WHEREOF, I have subscribed my signature and caused the Great Seal of the State of Tennessee to be affixed this 31st day of July, 2020.



GOVERNOR

ATTEST:



SECRETARY OF STATE





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2020 Nov 09 10:46 AM - 20CV-49908  
Williamson County, Clerk & Master

EXHIBIT D

**Rogers C. Anderson**  
Williamson County Mayor



## WILLIAMSON COUNTY GOVERNMENT

August 3, 2020

### DECLARATION OF PUBLIC HEALTH EMERGENCY BY WILLIAMSON COUNTY MAYOR

**WHEREAS**, the President of the United States, the Governor of the State of Tennessee, and the Mayors of a number of municipalities in the state of Tennessee have made emergency declarations related to the COVID-19 pandemic, and have recognized it as a public health emergency; and

**WHEREAS**, the Centers for Disease Control and Prevention (CDC) and Tennessee Department of Health (TDH) advise the use of cloth or other types of face coverings to slow the spread of COVID-19; and

**WHEREAS**, immediate action to slow the spread of COVID-19 in our communities is necessary in order to be able to safely allow governmental operations to continue, businesses to remain open, and schools to reopen in the fall; and

**WHEREAS**, widespread use of face coverings is believed to be effective in slowing the spread of COVID-19 by reducing the chances of symptomatic and asymptomatic people transmitting the virus to others, especially when used together with other protocols including 6-foot social distancing and hand hygiene; and

**WHEREAS**, on July 3, 2020, Governor Bill Lee signed Executive Order 54, strongly urging all persons to wear cloth face coverings or other similar coverings in public settings where being in close proximity to others is anticipated, and

**WHEREAS**, Governor Lee, through Executive Order 54, and Executive Order 55, delegated authority to county mayors in the 89 counties that do not have a locally-run health department (including Williamson County) to issue orders requiring the wearing of face coverings within their jurisdictions, subject to certain limitations, for the purposes of slowing the spread of COVID-19; and

**WHEREAS**, the numbers of positive COVID-19 cases in Williamson County and surrounding counties have significantly increased in the last thirty days; and

**WHEREAS**, widespread use of face coverings is a preferred alternative to the continued closure of schools and the closure of businesses in our community, which closures would likely become necessary if action is not taken; and

**WHEREAS**, after consultation with the Mayors of the various municipalities of Williamson County and the School Superintendents for the two school districts within the County, the County Mayor finds that there is a consensus that the wearing of cloth or other face coverings should be required in certain circumstances, and that such a requirement should take effect as soon as possible;

**NOW, THEREFORE, PURSUANT TO THE AUTHORITY DELEGATED BY EXECUTIVE ORDER 54 AND PURSUANT TO GOVERNOR LEE'S RECOGNITION OF A CONTINUING STATE OF EMERGENCY AND MAJOR DISASTER RELATED TO COVID-19**, the Mayor of Williamson County, Tennessee, after consultation with the Mayors of the various municipalities within Williamson County, the School Superintendents for the two school districts within the County, as well as physicians and members of the health care community, issues a Declaration of Emergency related to the COVID-19 pandemic, and

publicly-accessible areas of commercial business establishments; in public outdoor areas where social distancing of at least six feet cannot be maintained; and within the publicly-accessible areas of business offices where there is direct interaction with the public and social distancing of at least six feet cannot be maintained. A "commercial business establishment" means any establishment that sells goods or services, or a combination thereof, including but not limited to grocery stores, restaurants, lobbies and public spaces in hotels and other places of lodging, pharmacies, banks, bars, salons, retail stores, medical and dental offices, and entertainment and sports venues.

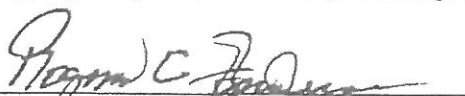
**IT IS FURTHER ORDERED** that this Order does not apply to:

1. Any person who is age 12 or younger;
2. Any person who cannot safely wear a face covering because he/she has trouble breathing due to an underlying health condition or another bona fide medical or health-related reason for not wearing a face covering;
3. Anyone who is incapacitated or otherwise unable to remove a face covering without assistance;
4. Persons in a private residence;
5. Persons who are outdoors, unless the person cannot substantially maintain appropriate 6-foot social distancing from others outside of the person's household;
6. Persons while eating or drinking;
7. Persons in a place of worship or otherwise engaged in a religious ceremony (or activity attendant thereto), including but not limited to a wedding or funeral, unless a face covering is required by the place of worship, although persons in places of worship are strongly encouraged to wear face coverings to slow the spread of COVID-19;
8. Persons within private motor vehicles, unless such vehicle is being used for public transportation or a vehicle for hire;
9. Persons working under conditions where appropriate social distancing of at least six feet from others outside the person's household is substantially maintained;
10. Persons present in government facilities or on government premises, who shall be subject to the rules and regulations of the governmental entity operating the facility or premises. Persons present in the public areas of all Williamson County government facilities will wear cloth or other face coverings, subject to the age and health restrictions outlined herein, and subject to number 11, below. Other local governmental entities may issue their own directives regarding their facilities;
11. Persons in a voting site for the purpose of voting or administering an election; although such persons are strongly encouraged to wear face coverings to slow the spread of COVID-19;
12. Persons who are engaging in strenuous exercise and/or physical activity, provided, however, that such persons shall maintain 6-foot social distancing when not wearing a face covering;
13. Persons for whom wearing a face covering would pose a safety or security risk.

**IT IS FURTHER ORDERED** that businesses and facilities subject to this Order shall post signage at public entrances informing patrons of the requirement to wear a mask within the establishment, and shall facilitate compliance with the requirement within the establishment.

This local order constitutes an order promulgated pursuant to Tennessee Code Annotated, Title 58, Chapter 2, Part 1. While it is the hope and expectation that Williamson County citizens will comply with this Order out of a sense of civic duty and respect for their fellow citizens, and attempts at education and communication are the preferred methods of obtaining compliance, state law provides for enforcement of this Order if necessary. Pursuant to Executive Order 54 and Tennessee Code Annotated §58-2-120, violation of this Order shall constitute a Class A misdemeanor.

This Order shall become effective at 11:59 p.m. on Monday, August 3, 2020, and will expire on August 29, 2020 at 11:59 p.m., unless sooner cancelled or unless extended.

  
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Rogers Anderson, Mayor  
Williamson County, Tennessee

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2020 Nov 09 10:46 AM - 20CV-49908  
Williamson County, Clerk & Master

EXHIBIT E

**Rogers C. Anderson**  
Williamson County Mayor



## WILLIAMSON COUNTY GOVERNMENT

October 22, 2020

### DECLARATION OF PUBLIC HEALTH EMERGENCY BY WILLIAMSON COUNTY MAYOR

**WHEREAS**, the President of the United States, the Governor of the State of Tennessee, and the Mayors of a number of municipalities in the state of Tennessee have made emergency declarations related to the COVID-19 pandemic, and have recognized it as a public health emergency; and

**WHEREAS**, the Centers for Disease Control and Prevention (CDC) and Tennessee Department of Health (TDH) advise the use of cloth or other types of face coverings to slow the spread of COVID-19; and

**WHEREAS**, immediate action to slow the spread of COVID-19 in our communities is necessary in order to be able to safely allow governmental operations to continue, businesses to remain open, and schools to remain open for in-person learning; and

**WHEREAS**, widespread use of face coverings is believed to be effective in slowing the spread of COVID-19 by reducing the chances of symptomatic and asymptomatic people transmitting the virus to others, especially when used together with other protocols including 6-foot social distancing and hand hygiene; and

**WHEREAS**, on July 3, 2020, Governor Bill Lee signed Executive Order 54, strongly urging all persons to wear cloth face coverings or other similar coverings in public settings where being in close proximity to others is anticipated, and

**WHEREAS**, Governor Lee, through Executive Order 54, Executive Order 55, and Executive Order 63 delegated authority to county mayors in the 89 counties that do not have a locally-run health department (including Williamson County) to issue orders requiring the wearing of face coverings within their jurisdictions, subject to certain limitations, for the purposes of slowing the spread of COVID-19; and

**WHEREAS**, Williamson County implemented a mandate for face coverings in July and August, 2020 after the numbers of positive COVID-19 cases in Williamson County and surrounding counties significantly increased; and

**WHEREAS**, the numbers of positive COVID-19 cases in Williamson County began to trend in a favorable direction, at which point the Williamson County mandate was permitted to expire on August 29, 2020; and

**WHEREAS**, the numbers of positive COVID-19 cases in Williamson County, as well as the number of COVID-19 related hospitalizations, has again increased significantly in the past thirty days; and

**WHEREAS**, widespread use of face coverings is a preferred alternative to the continued closure of schools and the closure of businesses in our community, which closures would likely become necessary if action is not taken; and

**WHEREAS**, after consultation with the Mayors of the various municipalities of Williamson County and the School Superintendents for the two school districts within the County, the County Mayor finds that there is a general consensus that the wearing of cloth or other face coverings should again be required in certain circumstances, and that such a requirement should take effect as soon as possible;

**NOW, THEREFORE, PURSUANT TO THE AUTHORITY DELEGATED BY EXECUTIVE ORDERS 54, 55 and 63, AND PURSUANT TO GOVERNOR LEE'S RECOGNITION OF A CONTINUING STATE OF EMERGENCY AND MAJOR DISASTER RELATED TO COVID-19,** the Mayor of Williamson County, Tennessee, after consultation with the Mayors of the various municipalities within Williamson County, the School Superintendents for the two school districts within the County, as well as physicians and members of the health care community, issues a renewed Declaration of Emergency related to the COVID-19 pandemic, and

**IT IS ORDERED** that cloth or other face coverings that cover the nose and mouth of a person to impede the spread of the virus during speaking, coughing, sneezing or other action, shall be required in Williamson County, Tennessee, within all publicly-accessible areas of commercial business establishments; in public outdoor areas where social distancing of at least six feet cannot be maintained; and within the publicly-accessible areas of business offices where there is direct interaction with the public and social distancing of at least six feet cannot be maintained. A "commercial business establishment" means any establishment that sells goods or services, or a combination thereof, including but not limited to grocery stores, restaurants, lobbies and public spaces in hotels and other places of lodging, pharmacies, banks, bars, salons, retail stores, medical and dental offices, and entertainment and sports venues.

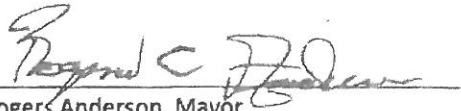
**IT IS FURTHER ORDERED** that this Order does not apply to:

1. Any person who is age 12 or younger, provided, however, that this exception does not apply to students on school property or at school events who are subject to a face covering mandate imposed by a local board of education. In those instances, the local board of education's mandate shall apply;
2. Any person who cannot safely wear a face covering because he/she has trouble breathing due to an underlying health condition or another bona fide medical or health-related reason for not wearing a face covering;
3. Anyone who is incapacitated or otherwise unable to remove a face covering without assistance;
4. Persons in a private residence;
5. Persons who are outdoors, unless the person cannot substantially maintain appropriate 6-foot social distancing from others outside of the person's household;
6. Persons while eating or drinking;
7. Persons in a place of worship or participating in activity attendant to worship (unless a face covering is required by the place of worship or other location where worship activity is occurring), although persons in places of worship or participating in activities attendant to worship are strongly encouraged to wear face coverings to slow the spread of COVID-19;
8. Persons within private motor vehicles, unless such vehicle is being used for public transportation or a vehicle for hire;
9. Persons working under conditions where appropriate social distancing of at least six feet from others outside the person's household is substantially maintained;
10. Persons present in government facilities or on government premises, who shall be subject to the rules and regulations of the governmental entity operating the facility or premises. Persons present in the public areas of all Williamson County government facilities will wear cloth or other face coverings, subject to the age and health restrictions outlined herein, and subject to number 11, below. Other local governmental entities may issue their own directives regarding their facilities;
11. Persons in a voting site for the purpose of voting or administering an election; although such persons are strongly encouraged to wear face coverings to slow the spread of COVID-19;
12. Persons who are engaging in strenuous exercise and/or physical activity, provided, however, that such persons shall maintain 6-foot social distancing when not wearing a face covering;
13. Persons for whom wearing a face covering would pose a safety or security risk.

**IT IS FURTHER ORDERED** that businesses and facilities subject to this Order shall post signage at public entrances informing patrons of the requirement to wear a mask within the establishment, and shall facilitate compliance with the requirement within the establishment.

This local order constitutes an order promulgated pursuant to Tennessee Code Annotated, Title 58, Chapter 2, Part 1. While it is the hope and expectation that Williamson County citizens will comply with this Order out of a sense of civic duty and respect for their fellow citizens, and attempts at education and communication are the preferred methods of obtaining compliance, state law provides for enforcement of this Order if necessary. Pursuant to Executive Orders 54, 55 and 63, and Tennessee Code Annotated §58-2-120, violation of this Order shall constitute a Class A misdemeanor.

This Order shall become effective at 12:01 a.m. on Saturday, October 24, 2020, and will expire at 11:59 p.m. on October 30, 2020 as required by Executive Order 63, unless sooner cancelled or unless extended pursuant to subsequent authorization by the Governor.

  
Rogers Anderson, Mayor  
Williamson County, Tennessee

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2020 Nov 09 10:46 AM - 20CV-49908  
Williamson County, Clerk & Master

EXHIBIT F



**Rogers C. Anderson**  
Williamson County Mayor



## WILLIAMSON COUNTY GOVERNMENT

October 30, 2020

### DECLARATION OF CONTINUED PUBLIC HEALTH EMERGENCY BY WILLIAMSON COUNTY MAYOR

**WHEREAS**, the President of the United States, the Governor of the State of Tennessee, and the Mayors of a number of municipalities in the state of Tennessee have made emergency declarations related to the COVID-19 pandemic, and have recognized it as a public health emergency; and

**WHEREAS**, the Centers for Disease Control and Prevention (CDC) and Tennessee Department of Health (TDH) advise the use of cloth or other types of face coverings to slow the spread of COVID-19; and

**WHEREAS**, immediate action to slow the spread of COVID-19 in our communities is necessary in order to be able to safely allow governmental operations to continue, businesses to remain open, and schools to remain open for in-person learning; and

**WHEREAS**, widespread use of face coverings is believed to be effective in slowing the spread of COVID-19 by reducing the chances of symptomatic and asymptomatic people transmitting the virus to others, especially when used together with other protocols including 6-foot social distancing and hand hygiene; and

**WHEREAS**, on July 3, 2020, Governor Bill Lee signed Executive Order 54, strongly urging all persons to wear cloth face coverings or other similar coverings in public settings where being in close proximity to others is anticipated, and

**WHEREAS**, Governor Lee, through Executive Order 54, Executive Order 55, Executive Order 63 and Executive Order 67 delegated authority to county mayors in the 89 counties that do not have a locally-run health department (including Williamson County) to issue orders requiring the wearing of face coverings within their jurisdictions, subject to certain limitations, for the purposes of slowing the spread of COVID-19; and

**WHEREAS**, Williamson County implemented a mandate for face coverings in July and August, 2020 after the numbers of positive COVID-19 cases in Williamson County and surrounding counties significantly increased, and reinstated that Order on October 24, 2020 after a resurgence in cases; and

**WHEREAS**, the current mandate for face coverings in Williamson County expires at midnight on October 31, 2020; and

**WHEREAS**, Governor Lee has now authorized County Mayors to renew such orders, and after consultation with the Mayors of the various municipalities of Williamson County and the School Superintendents for the two school districts within the County, the County Mayor finds that a continued mandate through the end of the calendar year is appropriate for the health and safety of Williamson County citizens;

**NOW, THEREFORE, PURSUANT TO THE AUTHORITY DELEGATED BY EXECUTIVE ORDERS 54, 55, 63 and 67 AND PURSUANT TO GOVERNOR LEE'S RECOGNITION OF A CONTINUING STATE OF EMERGENCY AND MAJOR DISASTER RELATED TO COVID-19**, the Mayor of Williamson County, Tennessee, after consultation with the Mayors of the various municipalities within Williamson County, the School Superintendents for the two school districts within the County, as well as physicians and members of the health care community, issues a renewed Declaration of Emergency related to the COVID-19 pandemic, and

**IT IS ORDERED** that cloth or other face coverings that cover the nose and mouth of a person to impede the spread of the virus during speaking, coughing, sneezing or other action, shall be required in Williamson County, Tennessee, within all publicly-accessible areas of commercial business establishments; in public outdoor areas where social distancing of at least six feet cannot be maintained; and within the publicly-accessible areas of business offices where there is direct interaction with the public and social distancing of at least six feet cannot be maintained. A "commercial business establishment" means any establishment that sells goods or services, or a combination thereof, including but not limited to grocery stores, restaurants, lobbies and public spaces in hotels and other places of lodging, pharmacies, banks, bars, salons, retail stores, medical and dental offices, and entertainment and sports venues.

**IT IS FURTHER ORDERED** that this Order does not apply to:

1. Any person who is age 12 or younger, provided, however, that this exception does not apply to students on school property or at school events who are subject to a face covering mandate imposed by a local board of education. In those instances, the local board of education's mandate shall apply;
2. Any person who cannot safely wear a face covering because he/she has trouble breathing due to an underlying health condition or another bona fide medical or health-related reason for not wearing a face covering;
3. Anyone who is incapacitated or otherwise unable to remove a face covering without assistance;
4. Persons in a private residence;
5. Persons who are outdoors, unless the person cannot substantially maintain appropriate 6-foot social distancing from others outside of the person's household;
6. Persons while eating or drinking;
7. Persons in a place of worship or participating in activity attendant to worship (unless a face covering is required by the place of worship or other location where worship activity is occurring), although persons in places of worship or participating in activities attendant to worship are strongly encouraged to wear face coverings to slow the spread of COVID-19;
8. Persons within private motor vehicles, unless such vehicle is being used for public transportation or a vehicle for hire;
9. Persons working under conditions where appropriate social distancing of at least six feet from others outside the person's household is substantially maintained;
10. Persons present in government facilities or on government premises, who shall be subject to the rules and regulations of the governmental entity operating the facility or premises. Persons present in the public areas of all Williamson County government facilities will wear cloth or other face coverings, subject to the age and health restrictions outlined herein, and subject to number 11, below. Other local governmental entities may issue their own directives regarding their facilities;
11. Persons in a voting site for the purpose of voting or administering an election; although such persons are strongly encouraged to wear face coverings to slow the spread of COVID-19;
12. Persons who are engaging in strenuous exercise and/or physical activity, provided, however, that such persons shall maintain 6-foot social distancing when not wearing a face covering;
13. Persons for whom wearing a face covering would pose a safety or security risk.

**IT IS FURTHER ORDERED** that businesses and facilities subject to this Order shall post signage at public entrances informing patrons of the requirement to wear a mask within the establishment, and shall facilitate compliance with the requirement within the establishment.

This local order constitutes an order promulgated pursuant to Tennessee Code Annotated, Title 58, Chapter 2, Part 1. While it is the hope and expectation that Williamson County citizens will comply with this Order out of a sense of civic duty and respect for their fellow citizens, and attempts at education and communication are the preferred methods of obtaining compliance, state law provides for enforcement of this Order if necessary. Pursuant to Executive Orders 54, 55, 63 and 67, and Tennessee Code Annotated §58-2-120, violation of this Order shall constitute a Class A misdemeanor.

This Order shall become effective at 11:59 p.m. on Friday, October 30, 2020, and will expire at 11:59 p.m. on December 29, 2020 as required by Executive Order 67, unless sooner cancelled or unless extended pursuant to subsequent authorization by the Governor.

ELECTRONICALLY FILED  
2020 Nov 09 10:46 AM - 20CV-49908  
Williamson County, Clerk & Master

EXHIBIT G

# Mask Non-Compliance Reporting Form

Home > [Home > Mask Non-Compliance Reporting Form](#) > [Home](#) > [Contact](#)

Person Reporting

Phone Number

ext.

Email Address

*If you would like to be contacted, please include your contact information above.*

Name of Establishment or Business in non-compliance \*

Address of establishment/business

Date and approximate time you observed the non-compliance.

Date

Time

Did the establishment have signage posted about wearing face coverings?

Yes

No

Were the employees of the establishment wearing face coverings?

Yes

No

Were there individuals you observed in non-compliance or was this widespread in the establishment?

A few individuals

Widespread

Any Additional information?

Knowing whether the business has done its part (posting signage, requiring employees to wear face coverings, encouraging others to do so) will help us know how best to address your complaint. Thank you for sharing this information.

To receive a copy of your submission, please fill out your email address below and submit.

Email Address

EXHIBIT G TO COMPLAINT