

Insights, News & Events

WHAT BUSINESSES NEED TO KNOW ABOUT MEMPHIS'S SHELTER-IN-PLACE ORDER

Insights
Mar 23, 2020

Memphis Mayor Jim Strickland just issued the [Safer at Home Executive Order](#) on March 23, an extension of the Declaration of Civil Emergency issued last week. The Order directs all residents of Memphis to remain inside their residences and immediately limit all movement outside of their homes beyond what is absolutely necessary to take care of essential needs. The Order also requires nonessential businesses to close. The Order goes into effect at 6 p.m. on Tuesday, March 24 and will remain in effect through midnight on April 7. **[Ed. Note: The order has since been extended through April 21.]**

RESIDENTS MAY CONTINUE PERFORMING ESSENTIAL ACTIVITIES

Memphis residents may leave their residences for the following essential activities:

- traveling to the grocery store, pharmacy, or restaurants for takeout or drive-thru;
- attending medical appointments;
- caring for a family member or friend;
- walking pets and transporting pets to veterinary appointments;
- receiving deliveries;
- helping others retrieve necessary supplies;

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Memphis

- performing work that provides essential products and service at an essential business; and
- taking walks or enjoying other outdoor activities so long as social distancing practices are maintained.

NONESSENTIAL BUSINESSES ARE ORDERED TO CLOSE

All nonessential businesses with a facility in Memphis are required to cease all activities at facilities located within the city except for minimum basic operations. Minimum basic operations are the minimum necessary activities to maintain the value of the business's inventory, process payroll and employee benefits, and facilitate employees of the business to work remotely from their residences.

ESSENTIAL BUSINESSES MAY REMAIN OPEN

Essential businesses include healthcare providers, grocery and beverage stores (including stores that sell both grocery and non-grocery products); businesses that provide food, shelter, and social services for economically disadvantaged or needy individuals; media services; gas stations; and banks. For the non-exhaustive list of essential businesses, please review the [City of Memphis Listing of Essential and Nonessential Services](#).

CONCLUSION

Although the Order is in effect for two weeks, Mayor Strickland stated this could be extended if necessary. While the City will not "proactively" enforce the Order, it will be on the lookout for nonessential businesses that are operating in violation of the Order. Resident compliance is essentially on an honor-system basis. All businesses and activities, including those deemed essential, are required to continue practicing social distancing to the extent possible.

For now, we will continue to monitor the rapidly developing COVID-19 situation as appropriate. Make sure you are subscribed to Fisher Phillips' Alert System to get the most up-to-date information. If you are a Tennessee employer who has between 50 and 99 employees and are thinking of temporarily laying off some or most of your workforce because of the current economic climate, please contact [one of our Tennessee attorneys](#). Such a lay-off may

be covered under [Tennessee's "Plant Closing and Reduction in Operations" Act](#).

For other information, contact your Fisher Phillips attorney or a member of our [COVID-19 Taskforce](#). You can also review our nationwide [Comprehensive and Updated FAQs for Employers on the COVID-19 Coronavirus](#) and our [FP Resource Center For Employers](#), maintained by our Taskforce.

This Legal Alert provides an overview of a specific city law. It is not intended to be, and should not be construed as, legal advice for any particular fact situation.

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