

**EIGHTH EMERGENCY MAYORAL PROCLAMATION OF
EXECUTIVE ORDER REGARDING ADDITIONAL EFFORTS TO
FURTHER COMBAT THE SPREAD OF COVID-19
IN THE CITY OF BAY ST. LOUIS, MISSISSIPPI, INCLUDING THE ESTABLISHMENT
OF A TEMPORARY MANDATORY CURFEW
AND ISSUANCE OF A “SAFER-AT-HOME” ORDER**

WHEREAS, on March 14, 2020, pursuant to the Constitution of the State of Mississippi and Miss. Code Ann. § 33-15-11(b)(17), the Governor issues a Proclamation declaring that a State of Emergency exists in the State of Mississippi as a result of the outbreak of COVID-19; and

WHEREAS, on March 16, 2020, as Mayor of the City of Bay St. Louis, Mississippi and pursuant to Miss. Code Ann. § 45-17-3, et seq. and Miss. Code Ann. § 33-15-17, et seq., the Mayor of Bay St. Louis issued a “Proclamation of Existence of a Local Emergency,” which was ratified by the Bay St. Louis City Council on March 21, 2020; and

WHEREAS, as a means of attempting to combat the prolific spread of this disease in the City of Bay St. Louis, “Emergency Mayoral Proclamation of Executive Order” was issued on March 21, 2020, which expanded on the earlier “Proclamation of Existence of a Local Emergency” by temporarily closing entrances to the City’s buildings and facilities, as well as prohibiting gatherings of more than ten (10) people and which also temporarily closed various establishments; and

WHEREAS, the Mayor of Bay St. Louis is statutorily empowered through Miss. Code Ann. § 45-17-5 to order and issue a general curfew applicable to the City as deemed advisable and applicable during hours of the day or night as found necessary in the interest of the public safety and welfare and is further empowered through Miss. Code Ann. § 45-17-7 to issue such orders as are necessary for the protection of life and property; and, further, the Mayor is statutorily authorized pursuant to Miss. Code Ann. § 33-15-17 to, among other things, control and restrict egress, ingress and movement within and about the City to the degree necessary to facilitate the protection of life and property; and

WHEREAS, on April 24, 2020, the Governor issued Executive Order No. 1477, which is attached hereto as Exhibit “A”, which is commonly referred to as the “Safer At Home Order”; and

THEREFORE, pursuant to the authority vested in me by Mississippi Law, including, but not limited to, Miss. Code Ann. § 45-17-1, et seq. and Miss. Code Ann. § 33-15-17, et seq., as amended, and in the public interest of the City of Bay St. Louis, and to safeguard and protect the health, safety, and welfare of the public and for the protection of life and property, I do hereby issue this Eighth Emergency Mayoral Proclamation of Executive Order (also referred to as “Proclamation”) as set out herein.

IT IS HEREBY ORDERED, that all provisions of the “Emergency Mayoral Proclamation of Executive Order” and subsequent Orders issued by me, not expressly in conflict with the provisions of this additional Proclamation herein shall remain in full force and effect. It is further,

ORDERED that the Governor’s Executive Order No. 1477, attached hereto as Exhibit A, is hereby fully adopted by the City. It is further,

ORDERED that all restaurants, bars, and dining establishments located in the City of Bay St. Louis shall continue to remain closed, with the only exception being that these businesses may provide take-out, curbside pick-up, delivery, or drive-through services as allowed by law. To the extent there is any ambiguity, these businesses shall not provide any in-house, on-premise, or dine-in services or available sitting areas for the public, regardless of whether inside or outside, or on public or private land, of a structure or building. It is further,

ORDERED that all businesses are strongly recommended to offer and/or provide customers hand sanitizer or similar type disinfectant for personal, human use, must disinfect and sanitize common areas on a regular basis, and must actively pursue all available precautions to ensure adherence to the most recent regulations or guidelines issued by the CDC, the MDOH, or the President of the United States with respect to prevention and protection against the spread of this virus, whichever is strictest, including, but not limited to, social distancing requirements (e.g., minimally staying at least six (6) feet away from others) and guidelines or guidance on restrictions of gathering of persons (e.g., avoiding groups in excess of ten (10) persons) and regular and proper hand-washing and personal hygiene (e.g., using hand sanitizers that minimally contain 70% alcohol or washing hands with soap in excess of twenty seconds). It is further,

ORDERED that all persons within the boundaries of the City of Bay St. Louis should take personal responsibility to prevent the spread of COVID-19 by adhering to the most recent regulations or guidelines issued by the CDC, the MDOH, or the President of the United States, whichever shall be the strictest, regarding the prevention and protection against the spread of this virus, including, but not limited to, social distancing requirements (e.g., minimally staying at least six (6) feet away from others) and guidelines or guidance on restrictions of gathering of persons (e.g., avoiding groups in excess of ten (10) persons) and regular and proper hand-washing and personal hygiene (e.g., using hand sanitizers that minimally contain 70% alcohol or washing hands with soap in excess of twenty (20) seconds). It is further,

ORDERED that all persons shall adhere to a “Safer-at-Home” policy. Individuals experiencing homelessness, who may include individuals in shelters, shall not be subject to this provision but shall be strongly encouraged to adhere to the regulations or guidelines issued by the CDC, the MDOH, or the President of the United States with respect to prevention and protection against the spread of this virus, whichever is strictest, including, but not limited to, social distancing requirements (e.g., minimally staying at least six (6) feet away from others) and guidelines or guidance on restrictions of gathering of persons (e.g., avoiding groups in excess of ten (10) persons) and regular and proper hand-washing and personal hygiene (e.g., using hand sanitizers that minimally contain 70% alcohol or washing hands with soap in excess of twenty (20) seconds). It is further,

ORDERED that a curfew shall be, and hereby is, instituted and in place as to all persons found within the City of Bay St. Louis’s corporate limits from 11:00 p.m. to 5:00 a.m. each day of the week until further notice or modification or recession of the same. This curfew applies to all persons, with the exception of the following: (i) public safety officers; (ii) persons working for federal, state and local government or law enforcement; (iii) persons employed by a hospital, urgent care type facility, medical clinic, medical laboratory, or physician’s office or ambulance service and who are traveling to or from such facility or place of employment; (v) persons going to and from work as permitted in this Proclamation or the “Emergency Mayoral Proclamation of Executive Order” issued on March 21, 2020; (vi) persons suffering a health or medical emergency

who are traveling to a hospital, urgi-care type facility, medical clinic, medical laboratory, or physician's office or similar type facility; (vii) individuals traveling through the City along Interstate 10 or U. S. Highway 90 and who do not stop in the City; and (viii) persons actively involved in the provision of services of an "Essential Business," as listed in the Governor's Executive Order 1463.

Movement around the City outside of this curfew should be limited to that as set forth and permitted elsewhere herein, and even in such circumstances only upon strict adherence to the most recent regulations or guidelines issued by the CDC, the MDOH, or the President of the United States with respect to prevention and protection against the spread of this virus, whichever is strictest, including, but not limited to, social distancing requirements (e.g., minimally staying at least six (6) feet away from others) and guidelines or guidance on restrictions of gathering of persons (e.g., avoiding groups in excess of ten (10) persons) and regular and proper hand-washing and personal hygiene (e.g., using hand sanitizers that minimally contain 70% alcohol or washing hands with soap in excess of twenty (20) seconds). It is further,

ORDERED, that this Eighth Proclamation of Executive Order, or any other Proclamation issued by the City, does not alter any of the obligations under law of an employer affected by this Proclamation to its employees or to the employees of another employer. It is further,

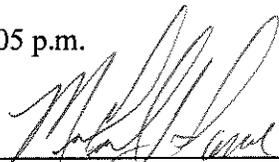
ORDERED that this Eighth Proclamation of Executive Order is herein being issued to the extent allowed by state and federal law and the United States Constitution. It is further,

ORDERED that this Eighth Proclamation of Executive Order shall be: (1) filed with the City Clerk; (2) distributed to the news media and other organizations reasonably calculated to bring its contents to the attention of the general public; and (3) distributed to others as necessary to ensure proper implementation of this Proclamation of Executive Order. It is further,

ORDERED that violations of this Eighth Proclamation of Executive Order may be subject to misdemeanor prosecution in accordance with, including, but not limited to, Miss. Code Ann. § 45-17-9, as amended, and, to the extent applicable, Miss. Code Ann. § 33-15-43, as amended, as well as other state laws and provisions in the City's Code of Ordinances. It is further,

ORDERED that, except for what is otherwise set out herein, this Eighth Emergency Mayoral Proclamation of Executive Order shall be, and hereby is, effective at 5:00 p.m. on Wednesday, April 29, 2020, and shall remain in effect until amended, rescinded, or superseded by another applicable Mayoral Proclamation or Executive Order or the termination of the current (and ongoing) State of Emergency related to this pandemic issued by the City of Bay St. Louis, whichever shall occur first.

THIS, the 29th day of April, 2020, at 3:05 p.m.



MAYOR MICHAEL J. FAVRE
CITY OF BAY ST. LOUIS, MISSISSIPPI

ATTEST:



DEPUTY CITY CLERK
CITY OF BAY ST. LOUIS, MISSISSIPPI

STATE OF MISSISSIPPI

Office of the Governor



EXECUTIVE ORDER NO. 1477

WHEREAS, on March 14, 2020, pursuant to the Constitution of the State of Mississippi and Miss. Code Ann. § 33-15-11(b)(17), I issued a Proclamation declaring that a State of Emergency exists in the State of Mississippi as a result of the outbreak of COVID-19; and

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services Secretary Alex Azar declared a public health emergency for COVID-19 beginning on January 27, 2020, on March 11, 2020, the World Health Organization characterized COVID-19 as a pandemic, and on March 13, 2020, the President of the United States declared a nationwide state of emergency due to the coronavirus COVID-19 pandemic; and

WHEREAS, the worldwide outbreak of COVID-19 and the effects of its extreme risk of person-to-person transmission throughout the United States and Mississippi significantly impacts the life and health of our people, as well as the economy of Mississippi; and

WHEREAS, on March 26, 2020, the Mississippi State Department of Health announced new and expanded measures to increase testing and data analysis to identify regions and localities that are at higher risk for transmission of COVID-19 and to provide more location-specific restrictions and limitation of movement and social interaction to combat the virus in those regions and localities; and

WHEREAS, on April 1, 2020, in order to minimize the risk of possible further transmission of COVID-19 and related measures, I issued Executive Order No. 1466 instituting a statewide Shelter in Place effective at 5:00 p.m. on Friday, April 3, 2020, and remaining in full force and effect until 8:00 a.m. on Monday, April 20, 2020; and

WHEREAS, on April 17, 2020, I issued Executive Order 1473 extending the statewide Shelter in Place, with certain additional exceptions, until 8:00 a.m. on Monday, April 27, 2020; and

WHEREAS, consistent with the guidance provided by the White House for beginning the process of re-opening the economy while minimizing the risk of a resurgence of COVID-19, the incidences of infection in Mississippi have stabilized; there is decreased utilization of hospital resources; a robust testing system is in place capable of promptly detecting any increase in the rate of infection; the healthcare system is capable of treating persons with the COVID-19 and has the capacity to promptly react to any increase in incidences; and the State has in place a plan to rapidly scale up healthcare capacity in the event of an increase in the rate of infection; and

WHEREAS, Mississippi must protect lives while restoring livelihoods, both of which can be achieved with the expert advice of medical professionals and business leaders; and

WHEREAS, a measured and strategic plan to reopen the economy is essential to the health, safety and well-being of Mississippi residents, and in consultation with the State Health Officer, there are certain business operations and healthcare activities that can safely resume under the limitations set forth herein.

NOW, THEREFORE, I, Tate Reeves, Governor of the State of Mississippi, by the authority vested in me by the Constitution and laws of the State of Mississippi, do hereby order and direct as follows:

I. Safer at Home Order

- a. **Duration:** This Safer at Home Order shall be effective at 8:00 a.m. on Monday, April 27, 2020, and shall remain in full force and effect until 8:00 a.m. on Monday, May 11, 2020, unless rescinded, modified or extended.
- b. **Safer at Home:**
 - i. Pursuant to the Mississippi Emergency Management Act including but not limited to Miss. Code. Ann. §§ 33-15-11(b)(1), 33-15-11(b)(4), 33-15-11(b)(6), 33-15-11(c)(1), 33-15-11(c)(4) & 33-15-31, all individuals currently living in the State of

Mississippi are encouraged to stay at home or in their place of residence when not engaged in Essential Activities or Essential Travel as defined herein.

- ii. For individuals whose residences are unsafe or become unsafe (for example, because of domestic violence, lack of sanitation or utilities) they may, and are encouraged to, seek alternate locations. Local law enforcement and other officials shall assist such individuals to secure such alternative locations.
 - iii. While engaged in Essential Activities or Essential Travel, individuals shall maintain social distancing of a minimum of 6 ft. distance between each individual and shall avoid gatherings in groups of more than 10 people.
 - iv. For purposes of this Executive Order, the terms “home” and “residence” include single family homes, hotels, rental units, shelters, mobile home parks, and similar facilities used as an individual’s principal dwelling.
- c. **Shelter in Place:** All vulnerable individuals, including all elderly individuals (age 65 or older per CDC guidelines) and individuals with serious underlying health conditions, including high blood pressure, chronic lung disease, diabetes, obesity, asthma, and those whose immune systems are compromised as such by chemotherapy for cancer or any other condition requiring such therapy, are encouraged to continue the shelter in place pursuant to Executive Order 1466, as extended and amended by Executive Order 1473.
- d. **Prohibited Activities:** Consistent with Executive Order No. 1463 as Supplemented, all public and private social and other non-essential gatherings in groups of more than 10 people in a single space at the same time where individuals are in close proximity (less than 6 ft.) to each other shall be cancelled or rescheduled.
- e. **Evictions Suspended:** Pursuant to Miss. Code. Ann. §§ 33-15-11(c)(1) and 33-15-11(c)(4), evictions within the State of Mississippi are suspended, and all state, county and local law enforcement officers are directed to cease enforcement of orders of eviction for residential premises during this Safer at Home Order. No provision contained within this Executive Order shall be construed as relieving any individual of the obligation to pay rent, to make mortgage payments, or to comply with all laws or any other obligation that an individual may have, including under tenancy or mortgage.
- f. **Essential Activities:** Individuals may leave their residences to perform the following Essential Activities:
- i. To engage in activities or perform tasks necessary to their health and safety, or the health and safety of their family or household members (including pets) or the health and safety of those persons who are unable to or should not leave their home.
 - ii. To obtain necessary food, services or supplies for themselves and members of their household needed to maintain the safety, sanitation and essential operation of the home or residence, or to deliver those services or goods to those persons who are unable to or should not leave their home.
 - iii. To engage in individual outdoor activity and recreation.
 - iv. To operate a business and/or perform their job duties.
- g. **Essential Travel:** Individuals engaged in Essential Travel must adhere to both the CDC’s and the Mississippi State Department of Health’s recommendations and guidance to prevent the spread of COVID-19, including social distancing (6 ft. between individuals) and aggressive hygiene including frequent handwashing (minimum 20 seconds) and use of hand sanitizer. For purposes of this Executive Order, Essential Travel includes travel for the following purposes:
- i. Travel to and from their place of employment.
 - ii. Travel for Essential Activities and Healthcare Activities, as defined herein.
 - iii. Travel to or from Business Operations as described herein.
 - iv. Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons including to obtain COVID-19 testing for such individuals.
 - v. Travel to or from educational institutions including public and private K-12 schools, colleges and universities, and other educational institutions for purposes of receiving materials for distance learning, for receiving meals, and other education-related purposes.
 - vi. Travel to or from their place of residence.

- vii. Travel required by law enforcement or court order, including to transport children pursuant to a custody agreement.
- h. **Business Operations:** Except as otherwise provided herein, all businesses and non-profit entities operating within the State of Mississippi may remain open/re-open subject to the following limitations to minimize person to person interactions and associated risk of transmission of COVID-19:
- i. Consistent with Executive Orders 1458 and 1463, all businesses and non-profits are encouraged to utilize, to the maximum extent possible, work from home or other telework procedures.
 - ii. Businesses and non-profit entities shall take all reasonable measures to ensure compliance with the Mississippi State Department of Health's and CDC's regulations, orders and guidelines to prevent the spread of COVID-19, including, but not limited to, social distancing, sending sick employees home and actively encouraging sick employees to stay home, separating and sending home employees who appear to have respiratory illness symptoms, adopting and enforcing regular and proper hand-washing and personal hygiene protocols and daily screening of employees and volunteers for COVID-19 related symptoms before beginning shift.
 - iii. Retail businesses shall adopt reasonable measures to prevent the spread of COVID-19, including but not limited to, limiting the number of customers in their stores at one time to no greater than 50% of store capacity in order to ensure compliance with social distancing protocols, and frequent cleaning of high-contact surfaces (such as retail counters, door handles, credit card machines). Retail businesses are encouraged to make hand sanitizer available to their customers upon entry of their stores.
 - iv. To the extent possible, all common areas where employees or customers are likely to congregate and interact shall be closed or strict social distancing protocols should be enforced (maintaining a minimum of 6 feet distance between individuals and no gatherings in groups of more than 10 people).
 - v. Non-essential business travel should be minimized, and for any such travel individuals should adhere to CDC guidelines regarding isolation following travel.
 - vi. To the extent possible, special accommodations should be made for employees that are members of a vulnerable population to reduce their potential exposure to COVID-19.
 - vii. Restaurants and bars will remain open but are limited to drive-thru, curbside, and/or delivery service.
 - viii. Except as permitted by Paragraph I(b) of Executive Order 1473 for the limited operation of beaches, state park lakes, state lakes and reservoirs, all places of amusement and recreation, whether indoors or outdoors, including but not limited to amusement parks and rides, museums, playgrounds, children's party and play facilities, all parks including all beaches, lakes and reservoirs (but not including walking trails), movie theaters, bowling alleys, and social clubs shall remain closed to the public.
 - ix. Fitness and exercise gyms, dance studios, clubs, tattoo parlors, spas, salons, barber shops, and all other personal care and personal grooming facilities shall remain closed to the public but may continue Minimum Operations limited to retail sales by drive-thru, curbside and/or delivery services pursuant to Paragraph I(d)(ii) of Executive Order 1466, as amended by Paragraph I(a) of Executive Order 1473.
- i. **Healthcare Activities:**
- i. Healthcare professionals and healthcare facilities may continue to perform all procedures that are medically necessary to correct a serious medical condition of, or to preserve the life of, a patient who without immediate performance of the surgery or procedure would be at risk for serious adverse medical consequences or death.
 - ii. Healthcare professionals and healthcare facilities may also resume performing non-emergent, elective medical procedures and surgeries, as clinically appropriate, in accordance with the guidance provided by the Mississippi State Department of Health, including the following:

1. Every effort should continue to be made to deliver care without being in the same physical space, such as utilizing telehealth, phone consultations, and physical barriers between providers and patients.
 2. The medical procedure or surgery should fall within Tier 2 or Tier 3 of the Non-Emergent, Elective Medical Services and Treatment Recommendations issued by CMS on April 7, 2020. These recommendations may be found at <https://www.cms.gov/files/document/cms-non-emergent-elective-medical-recommendations.pdf>.
 3. For all in-patient procedures and surgeries, the healthcare facility where the surgery or procedure is performed must reserve at least 25% of its hospital capacity for treatment of COVID-19 patients, accounting for the range of clinical severity of COVID-19 patients
 4. The non-emergent elective medical procedure or surgery should require the use of minimal disposable personal protective equipment, and the healthcare professional and healthcare facility will not request any personal protective equipment from any public source, whether federal, state or local, for the duration of the COVID-19 disaster in order to perform such procedure or surgery.
 5. Regardless of symptoms, all healthcare professionals and healthcare facilities shall screen all patients for recent illness, travel, fever, or recent exposure to COVID-19, and to the extent that is possible, begin testing all patients prior to the procedure or surgery consistent with guidance from the Mississippi State Department of Health.
 6. To the extent possible pre-procedure and pre-surgery COVID-19 screening shall occur outside of the facility, and waiting rooms and common areas shall limit capacity and seating to ensure social distancing (maintaining a minimum of 6 feet distance between individuals).
 7. There shall be no visitors in the healthcare facility except for one spouse or caregiver who resides with the patient will be allowed into the facility at the time the patient is admitted or discharged.
- iii. Healthcare professionals and healthcare facilities may also resume performing non-emergent, elective dental procedures and surgeries, as clinically appropriate and in accordance with the guidelines established by the Mississippi State Department of Health including conserving disposable personal protective equipment.
 - iv. Consistent with Executive Order 1463, hospitals, nursing homes and retirement or long-term care facilities shall not allow visitors unless to provide critical assistance, to visit residents receiving imminent end-of-life care, or as otherwise directed by the healthcare facility, provided in the professional opinion of the supervising physician or other supervising healthcare professional at such facility that such visit can be accomplished without unreasonable risk to staff or other residents of such facilities. In lieu of in-person visits, electronic visits are encouraged.
- j. ***County and Local Municipal Authority:*** Nothing in this Executive Order shall limit or alter the authority of any local or county authority from adopting orders, rules, regulations, resolutions, and actions that are more strict than established herein, provided that they do not impose restrictions that prevent any Essential Business Operations as identified in Executive Order No. 1463 as Supplemented from operating at such level necessary to provide essential services and functions during this COVID-19 State of Emergency.

II. Courts Are Open:

- a. Pursuant to Article 3, §§ 24, 25, 26, and 26A of the Mississippi Constitution, and consistent with administrative orders of the Supreme Court of the State of Mississippi, all State Courts are open to fulfill their constitutional and statutory duties.
- b. Nothing in this or any Executive Order issued in response to COVID-19 is intended to conflict with or otherwise infringe upon any administrative order issued by or under the direction of the Supreme Court of the State of Mississippi.

III. Enforcement of Safer at Home Order:

- a. This Executive Order may be enforced by all State, County and Local law enforcement, as well as by other governmental entities (such as State and local departments of health) to

the fullest extent under Mississippi law including, *inter alia*, Miss. Code. Ann. §§ 33-15-11(b)(5) and 33-15-11(b)(6).

- b. Violations of this Executive Order are subject to the provisions of Miss. Code Ann. § 33-15-43.

IV. Delegate Authority to Issue and Enforce Quarantine and Isolation Orders:

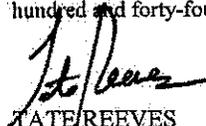
- a. Pursuant to Miss. Code Ann. §§ 33-15-11(b)(5) and 33-15-31, the State Health Officer in consultation with the Governor is authorized and empowered to issue such orders as necessary to carry out, implement, and enforce any quarantine or isolation orders to contain and restrict transmission of COVID-19.
- b. That this authority is in addition to, and consistent with, the Mississippi State Department of Health's authority to issue, maintain and enforce isolation and quarantine orders pursuant to Miss. Code Ann. § 41-23-5 and other controlling law.
- c. Nothing in this Executive Order limits or alters the authority under Miss. Code Ann. § 21-19-3 for a governing authority of a municipality to enact and enforce more restrictive measures to contain and restrict transmission of COVID-19.

- V. That all departments, commissions, agencies, institutions, and boards of the State of Mississippi, political subdivisions thereof, counties, municipalities and school districts are authorized and directed to cooperate in actions and measures taken in response to COVID-19 during the State of Emergency.

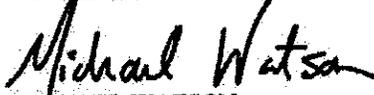


IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Mississippi to be affixed.

DONE in the City of Jackson, on the 24TH day of April, in the year of our Lord, two thousand and twenty, and of the Independence of the United States of America, the two hundred and forty-fourth.


TATE REEVES
GOVERNOR

BY THE GOVERNOR


MICHAEL WATSON
SECRETARY OF STATE