

IN THE CITY OF BILOXI
SECOND JUDICIAL DISTRICT OF HARRISON COUNTY
STATE OF MISSISSIPPI

**TWELFTH MAYORAL PROCLAMATION OF EXECUTIVE ORDER DATED
MAY 4, 2021 REGARDING THE GOVERNOR'S EXECUTIVE ORDER NO. 1551**

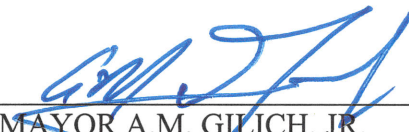
WHEREAS, in accordance with authority vested in me by Mississippi Law, including, but not limited to, Miss. Code Ann. § 45-17-1, et seq. and Miss. Code Ann. § 33-15-17, et seq., as amended, and in the public interest of the City of Biloxi, and to safeguard and protect the health, safety, and welfare of the public and for the protection of life and property, I have issued prior Executive Orders to combat the spread of COVID-19; and

WHEREAS, by Executive Order 1551 the Governor has rescinded various prior Executive Orders and implemented revised standards, as set forth in Exhibit "A" (Executive Order 1551);

NOW, 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 Biloxi, I do hereby issue the Tenth Emergency Mayoral Proclamation of Executive Order of April 5, 2021 (also referred to as "Proclamation") through April 30, 2021, as follows:

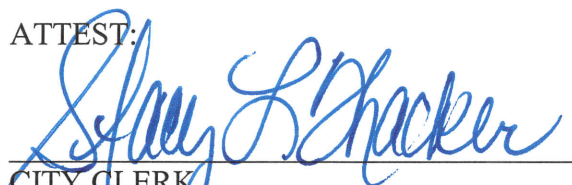
IT IS HEREBY ORDERED, that the Governor's Executive Order No. 1551 (attached as Exhibit "A") is hereby adopted and incorporated as my "Twelfth Mayoral Proclamation of Executive Order" dated May 4, 2021 for the City of Biloxi.

THIS, the 4th day of May, 2021, at 9:00 a.m.



MAYOR A.M. GILICH, JR.
CITY OF BILOXI, MISSISSIPPI

ATTEST:



CITY CLERK
CITY OF BILOXI, MISSISSIPPI



STATE OF MISSISSIPPI

Office of the Governor



EXECUTIVE ORDER NO. 1551

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 impacted the life and health of our people, as well as the economy of Mississippi; and

WHEREAS, with vigilance and common sense, and as a result of the continued sacrifices made by all Mississippians in the interest of public health over the past year, COVID-19 infections and resulting hospitalizations have been effectively managed, have significantly declined, and continue to decline; and

WHEREAS, Executive Order 1549, as amended and extended by Executive Order 1550, repealed the Safe Recovery Order and adopted reasonable guidelines and public health measures under the then-current circumstances permitting all businesses and non-profits to resume full operations within the State of Mississippi and permitting the continued resumption of all community activities subject to reasonable limitations to minimize person to person interactions and associated risk of transmission of COVID-19 and is set to expire at 5:00 p.m. on Friday, April 30, 2021; and

WHEREAS, as Mississippi continues to fully recover, the key to preventing the community transmission of COVID-19 is the continued implementation of reasonable public health measures under the current circumstances including the voluntary observation of social distancing, the voluntary use of face coverings for individuals engaged in close proximity activities and for prolonged gatherings where social distancing is not feasible, and maintaining a robust vaccination program; and

WHEREAS, Mississippi has seen a sharp decline in COVID-19 infections and resulting hospitalizations since mid-January 2021, and more than 1,000,000 Mississippians have received at least the first dose of the COVID-19 vaccination, with over 715,000 Mississippians being fully vaccinated; and

WHEREAS, the vaccine roll-out is continuing to proceed as expeditiously as possible with adequate vaccine supply available to ensure that every Mississippian who wants to receive the COVID-19 vaccine may do so; 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, in consultation with the State Health Officer, in order to continue to disrupt the spread of COVID-19 and insure that Mississippi's school aged children are able to complete this school year without any further disruption, it is necessary to continue the requirement that face coverings shall be worn while inside school buildings and classrooms whenever it is not possible to maintain social distancing from another person not in the same household for the remainder of the 2020-2021 academic year.

EXHIBIT "A"

NOW, THEREFORE, I, Tate Reeves, Governor of the State of Mississippi, by the authority vested in me by the Constitution, the Mississippi Emergency Management Law as amended, Miss. Code. Ann. § 33-15-1 *et seq.*, and other laws of the State of Mississippi, and in consultation with the State Health Officer do hereby order and direct as follows:

- I. **Repeal:** Executive Order 1549, as amended and extended by Executive Order 1550, is rescinded and shall stand repealed.
- II. **Duration:** This Executive Order shall be effective at 5:00 p.m. on Friday, April 30, 2021, and, except as otherwise provided herein, shall remain in full force and effect unless amended or rescinded.
- III. All persons within the State of Mississippi are encouraged to follow the CDC's and Mississippi State Department of Health's guidelines to prevent the spread of COVID-19 including:
 - a. Wearing a face covering, covering the nose and mouth, while in public spaces whenever it is not possible to maintain social distancing from persons not in the same household;
 - b. Avoid large gatherings, particularly indoor gatherings;
 - c. Maintain social distancing between persons not in your household;
 - d. Practice good hand hygiene, including washing your hands often with soap and water for at least 20 seconds especially after you have been in a public space; and
 - e. Stay at home if you feel sick or have any symptoms of COVID-19.
- IV. **Businesses and Non-Profits:** All business and non-profit entities operating within the State of Mississippi are encouraged to make reasonable, good-faith efforts to comply with the CDC's and Mississippi State Department of Health's regulations and guidelines to prevent the spread of COVID-19, including:
 - a. Implementing screening protocols of employees and volunteers for COVID-19 at the beginning of each shift;
 - b. Sending sick employees home and actively encouraging sick employees to stay at home;
 - c. Adopting measures to encourage appropriate PPE to be worn by all employees while at work or on duty based on their duties and responsibilities and in adherence to federal, state and local regulations and guidelines;
 - d. Adopting measures to encourage social distancing between customers/visitors not in the same household;
 - e. Adopting measures to encourage proper hand washing and personal hygiene protocols;
 - f. Frequent cleaning of high-contact surfaces (such as retail counters, door handles, and credit card machines); and
 - g. Making hand sanitizer available to all customers and visitors at points of entry and throughout the business.
- V. **Close Contact and Personal Care Services:** In addition to the requirements of Paragraph IV, close contact personal care services, including salons, barber shops, spas, massage parlors, personal care and personal grooming facilities, body art and tattoo services, and tanning salons are encouraged to operate subject to the following limitations:
 - a. Every employee should be encouraged to wear a face covering, covering the nose and mouth, while on duty;
 - b. All employees should be encouraged to wash their hands between serving each customer, and more frequently as necessary. If appropriate for the service provided, gloves are recommended and should be discarded after each customer;
 - c. Customers should be screened for illness; and
 - d. Customers should be encouraged to wear a face covering, covering the nose and mouth, while inside the facility except when receiving a service that otherwise could not be provided while wearing a face covering.

- VI. **Face Coverings:** For the remainder of the 2020-2021 academic year, every person in Mississippi shall wear a face covering, covering the nose and mouth, while inside a school building or classroom except face coverings are not required for the following:
- a. Persons who cannot wear a face covering due to a medical or behavioral condition, who have trouble breathing or are incapacitated, or whose healthcare professional has recommended that a face covering not be worn;
 - b. Persons seeking to communicate with someone who is hearing-impaired in a way that requires the mouth to be visible;
 - c. Persons while eating or drinking;
 - d. Persons in a building or engaged in an activity that utilizes or requires security surveillance or screening, and only during such times when these persons are under security surveillance or screening;
 - e. Persons engaged in swimming activities or other activities while in a swimming pool;
 - f. Persons engaged in exercising in fitness and exercise gyms or other sports activity;
 - g. Persons engaged in organized school athletic practices, including weight training;
 - h. Persons, including teachers, while giving a speech, presentation or performance for a broadcast or to an audience, including students;
 - i. Persons actively providing or obtaining access to religious worship (**NOTE** wearing a face covering is strongly encouraged);
 - j. Children under the age of six (6) (**NOTE** parents and guardians shall be responsible for ensuring proper use of face coverings by children and must ensure that face coverings do not pose a choking hazard and can be safely worn without obstructing a child's ability to breathe.); and
 - k. Other settings when it is not practical or feasible to wear a face covering.

As the academic year may vary for different schools throughout the state, the foregoing Section VI, including its subparts, shall expire and stand repealed as to each individual school no later than Monday, May 31, 2021, or the conclusion of the final day of student spring/second semester attendance based on that school's 2020-2021 academic calendar, whichever occurs first.

- VII. **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, including capacity limitations and face covering requirements, 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.
- VIII. **Enforcement:**
- 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.
- IX. **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.

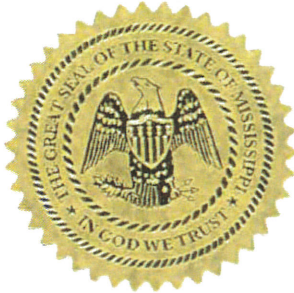
- c. Nothing in this Executive Order limits or alters the authority under Miss. Code Ann. § 21-19-3 for a governing authority of a municipality to enact and enforce more restrictive measures to contain and restrict transmission of COVID-19.

- X. 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 30th day of April, in the year of our Lord, two thousand and twenty-one, and of the Independence of the United States of America, the two hundred and forty-fifth.


TATE REEVES
GOVERNOR



BY THE GOVERNOR



MICHAEL WATSON
SECRETARY OF STATE