

**SIXTH 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**

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, the Mississippi Department of Health (“MDOH”) reported that as of April 21, 2020, there are 4,894 confirmed cases of persons infected with COVID-19 in the State of Mississippi, 54 of which are reported cases in Hancock County, Mississippi, where the City of Bay St. Louis is located; and

WHEREAS, COVID-19 is a new strain of coronavirus that previously had not been identified in humans, and this disease can result in severe illness or death, is highly contagious, and can be easily transmitted from person to person and by attaching to surfaces for prolonged periods of time; and

WHEREAS, heretofore Federal, State, and Local Authorities have continually impressed upon the public the importance of heeding the guidance of the Centers for Disease Control and Prevention (“CDC”), state departments of health, and the United States President concerning steps necessary to stop the proliferation of this outbreak, one of the most significant of which is the need to create “social distance” from others in all places, including in the public; and

WHEREAS, the scientific evidence shows that it is essential to slow virus transmission as much as possible to safeguard lives and to protect the ability of public and private health care providers to handle the influx of new patients and that one proven way to slow the transmission of the virus is to limit interactions among people to the greatest extent possible; 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”; and

WHEREAS, the outbreak of COVID-19 is continuing to grow and is now infiltrating more areas near the City of Bay St. Louis; and

WHEREAS, the nationwide outbreak of COVID-19 and the effects of its extreme risk of person-to-person transmission throughout the country and region, including the Mississippi Gulf Coast, continue to significantly threaten the health, safety, and security of the citizens of the City of Bay St. Louis; and

WHEREAS, consistent with guidance from the CDC and the MDOH, as well as after consultation with MDOH officials and local physicians, including one specializing in infectious diseases, it is clear that further courses of action and measures are necessary to protect and safeguard the health, safety, and welfare of those residing in the City of Bay St. Louis, to mitigate the impact of this disease, and to combat and disrupt the spread of the virus; 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 1, 2020, in order to minimize the risk of possible further transmission of COVID-19 and related measures, the Governor of the State of Mississippi 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, unless rescinded, modified or extended; and

WHEREAS, although the transmission of COVID-19 has slowed across much of the State of Mississippi, certain measures to disrupt and slow the spread of the COVID-19 virus within the State and to manage needed healthcare and emergency management resources ordered by Executive Order No. 1466 must remain in place per the Governor; accordingly, all individuals residing in the City of Bay St. Louis will need to continue to temporarily remain in their home or place of residence, and certain businesses and public amenities need to temporarily remain closed to the public; and

WHEREAS in light of the significant economic impact on employees and businesses in Mississippi as a result of measures necessary to cope with the COVID-19 public emergency, in consultation with the State Health Officer, there are certain measures that will allow essential economic activity through limited retail sales that will not significantly impact the State's or City's efforts to cope with the COVID-19 public emergency.

WHEREAS, in a continuing effort to encourage civic responsibility, to prevent and combat the spread of this virus, and in an effort to curtail the growth and spread of coronavirus, authorities across the country have taken and are continuing to take and pursue extraordinary measures to limit and preclude close personal contact in communities through the issuance of orders and enactment of legislation; and such extraordinary measures related to attempting to thwart the spread of this disease continue to be necessary and needed in promotion and preservation of the public health, safety, welfare, and good order to protect public peace and save and preserve lives; 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 Sixth 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" issued by me on March 21, 2020, and any subsequent Order 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 statewide Shelter in Place instituted by the Governor in Executive Order 1466 is extended by the City of Bay St. Louis and shall remain in full force and effect until 8:00 a.m. on Monday, April 27, 2020, except as follows:

- a. Paragraph I(d)(ii) *Non-essential Business and Operations Cease* Minimum Operations is amended to allow retail sales by non-essential businesses and operations limited to drive-thru, curbside, and/or delivery services provided such non-essential businesses and operations implement precautions to ensure adherence to the standards of Paragraph I(b)(iii) of Executive Order 1466 including social distancing requirements (maintaining a minimum of 6 feet distance between individuals), restrictions of gathering of persons (no gatherings in groups of more than 10 people), regular and proper hand-washing and personal hygiene, and adherence to the most recent regulations or guidelines issued by the MSDH and CDC.
- b. Paragraph II(g)(iii) *Essential Activities* is amended to permit recreational boating and fishing provided that social distancing requirements are met.

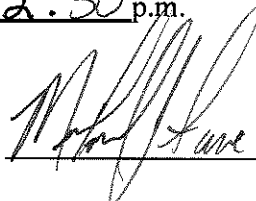
ORDERED that this Proclamation of Executive Order is herein being issued to the extent allowed by state and federal law and the United States Constitution. It is further,

ORDERED that this 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 Sixth 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,

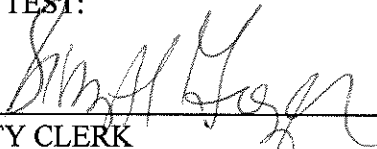
ORDERED that, except for what is otherwise set out herein, this Sixth Emergency Mayoral Proclamation of Executive Order shall be, and hereby is, effective at 3:00 p.m. on Wednesday, April 22, 2020, and shall remain in effect until further notice or until such time as the civil emergency ceases to exist.

THIS, the 22nd day of April, 2020, at 2:30 p.m.



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

ATTEST:



CITY CLERK
CITY OF BAY ST. LOUIS, MISSISSIPPI