

## EXECUTIVE ORDER NO. 2020-23

WHEREAS, the City of Hattiesburg has declared an Emergency Declaration in response to the COVID-19 outbreak and in cases of pandemic, leaders must make strategic and operational decisions;

WHEREAS, the City of Hattiesburg has conferred with leaders from Forrest General Hospital, Hattiesburg Clinic and Merit Health Wesley throughout the COVID-19 outbreak; and has received further guidance from the Mississippi State Department of Health (MSDH), the Centers for Disease Control (CDC), Cybersecurity & Infrastructure Security Agency (CISA) and Executive Orders 1463 and 1466 from Governor Tate Reeves in regards to essential and nonessential services;

WHEREAS, the CDC points to recent studies where a "significant portion of individuals with coronavirus lack symptoms ("asymptomatic") and that even those who eventually develop symptoms ("pre-symptomatic") can transmit the virus to others before showing symptoms. This means that the virus can spread between people interacting in close proximity—for example, speaking, coughing, or sneezing—even if those people are not exhibiting symptoms";

WHEREAS, the State Health Officer has reported that data from certain jurisdictions and regions of the state (a) indicate periods of higher numbers of new cases over shorter periods of time accounting for larger percentage of the State's overall case count, (b) have higher percent incidence of positive cases per number of tests performed, (c) show evidence of shared workforce between jurisdictions with common risk factors, and (d) have other public health indicators reflecting on-going community transmission; and

WHEREAS, COVID-19 continues to pose a threat to public health, life and safety of citizens of Hattiesburg, with 3681 positive cases and 86 deaths to date in Forrest County and 2818 positive cases and 49 deaths to date in Lamar County;

WHEREAS, on October 19<sup>th</sup>, 2020, Governor Tate Reeves issued Executive Order 1527 identifying eight (8) counties, including Forrest and Lamar counties, that are at high risk for transmission of COVID-19; accordingly, the implementation of additional jurisdiction specific measures are necessary to disrupt the spread of COVID-19 within those Counties to address and further limit person to person contact and other health and safety measures.

WHEREAS, on September 30, 2020 Governor Reeves issued Executive Order 1525 stating "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 face covering requirements";

NOW, THEREFORE, I, Toby Barker, Mayor of the City of Hattiesburg, pursuant to the authority vested in me by the State of Mississippi pursuant to Miss. Code Ann. Section 33-15-17 (c) (7) and Miss. Code Ann. Section 21-19-3 and all other applicable statutes, and in an effort to slow the spread of COVID-19 and to make common sense policy and operational decisions to that end, hereby issue the following executive order to slow the spread of COVID-19, to take effect at 8 a.m. on November 24, 2020 and remain in effect and enforced until 8 a.m. on December 12, 2020 unless it is modified, amended, rescinded or superseded.

### SECTION 1: RESTAURANTS

In addition to the restrictions and guidelines issued in Executive Order 2020-22 and all current state executive orders, all restaurants must close in-house dining (both indoor and outdoor) at 10:00pm. Restaurants may continue operating pick-up, drive thru or to go services.

### SECTION 2: BARS, NIGHTCLUBS, DANCE HALLS AND ENTERTAINMENT VENUES

- All bars, nightclubs, music venues, indoor entertainment venues and places of amusement (including but not limited to: bowling alleys, laser tag, ax throwing bars, escape rooms, cigar bars and movie theaters) shall close at 10:00pm.
- All dance hall permits are suspended.
- All bars, nightclubs, music venues and indoor entertainment venues must continue to adhere to and enforce all state and municipal mask requirements, capacity requirements and restrictions on hours of alcohol sales, including Governor Reeves' Executive Order 1525.

SECTION 3: PREEMPTION BY GOVERNOR REEVES' EXECUTIVE ORDER

If any part of this Order made during the COVID-19 State of Emergency in the City of Hattiesburg is found and deemed to be in conflict with Executive Orders 1463, 1466, 1473, 1477, 1478, 1480, 1486, 1496, 1500, 1505, 1509, 1511, 1512, 1514, 1515, 1516, 1517, 1518, 1522, 1525, 1527 and/or any subsequent Executive Order of Governor Tate Reeves, the remaining parts of this Order not found to be in conflict shall remain in full force and effect.

This executive order supersedes and amends Executive Orders 2020-1, 2020-2, 2020-3, 2020-4, 2020-5, 2020-6, 2020-7, 2020-8, 2020-9, 2020-10, 2020-11, 2020-12, 2020-13, 2020-14, 2020-15, 2020-16, 2020-17, 2020-18, 2020-19, 2020-20, 2020-21 and 2020-22.

SO ORDERED on this 24th day of November 2020.

  
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Toby Barker, Mayor, City of Hattiesburg, Mississippi

  
ATTEST: \_\_\_\_\_  
Kermas Eaton, City Clerk