

EXECUTIVE ORDER NO. 2020-7

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, COVID-19 continues to pose a threat to public health, life and safety of citizens of Hattiesburg, with 331 positive cases and 23 deaths to date in Forrest County and 156 positive cases and 4 deaths to date in Lamar County;

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 May 14, 2020 and be enforced until 8 a.m. May 26, 2020.

SECTION 1: REVISIONS TO COVID-19 EXECUTIVE ORDER REGARDING RESTAURANTS

Restaurants, in addition to providing take-out, pick-up, delivery and drive-thru services, are permitted to open outdoor dining subject to the following limitations:

- Restaurants must meet all requirements of Governor Reeves' Executive Order 1478
- Restaurants may serve customers in outdoor seating up to 50% of the restaurant's total capacity
- Restaurant floor plans shall be updated to ensure at least six (6) feet of separation between each party/group dining outdoors. Party sizes shall be limited to a maximum of six (6) customers per table.
- Restaurants are allowed to make restroom access available to customers. However, there shall be no indoor dining or public seating indoors.

SECTION 2: 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 and/or 1480 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 (EXECUTIVE ORDER 2020-5) supersedes and amends all references to restaurants from Executive Orders 2020-1, 2020-2, 2020-3, 2020-4, 2020-5 and 2020-6.

SO ORDERED on this 13th day of May, 2020.



Toby Barker, Mayor, City of Hattiesburg, Mississippi

ATTEST: 

Kermas Eaton, City Clerk