

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

**NINTH EMERGENCY MAYORAL PROCLAMATION OF  
EXECUTIVE ORDER DATED AUGUST 4, 2020 REGARDING  
NECESSARY EFFORTS TO COMBAT THE SPREAD OF COVID-19 IN  
THE CITY OF BILOXI, MISSISSIPPI FOLLOWING ISSUANCE OF THE  
GOVERNOR'S EXECUTIVE ORDER NO. 1511 AND 1513**

**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 issued an Executive Order on March 31, 2020, entitled “Second Emergency Mayoral Proclamation of Executive Order Dated March 31, 2020, Regarding the Curtailment of Exposure to COVID-19 in the City of Biloxi,” which was adopted by the governing authorities of the City of Biloxi pursuant to Resolution 210-20; and

**WHEREAS**, in accordance with the Mississippi’s “Emergency Management Act” (Miss. Code Ann. §§ 33-15-1, et seq.), the Governor of the State of Mississippi issued “Executive Order No. 1466” on Friday, April 3, 2020, wherein he placed a “Shelter in Place” Order in effect for the State of Mississippi which was later modified Executive Order 1473, Executive Order 1477 (“Safer-at-Home”) and Executive Order 1492 (Safe Return) and which has been extended or modified by Executive Orders 1496, 1500, 1505, 1508, 1511 and 1515; and

**WHEREAS**, the Governor’s Executive Order No. 1466 previously stated and recognized that, with limited restriction, local governments, such as the City of Biloxi, may adopt and issue orders, rules, regulations, and resolutions and take actions “that are more strict” than those set out in the Governor’s Executive Orders; and

**WHEREAS**, although the Governor’s Executive Order 1511, extended to August 17 by Executive Order 1515, directs that “Restaurants and bars shall not sell alcohol between the hours of 11:00 p.m. and 7:00 a.m.,” some businesses subject to Executive Order 1511 have continued to do so, under the ruse of pre-sold drink tickets or wrist bracelets; and

**WHEREAS**, as part of what I have found to be a continued need to address COVID-19 in the City of Biloxi, and in response to the Governor’s Executive Order No. 1511 and 1513 and in recognition of the findings set out therein as well as the rationale for ongoing efforts to combat the spread of COVID-19, which I find are still needed and required in the City of Biloxi, I find that there is need for issuance of a further Emergency Mayoral Proclamation to preserve and protect life, property, and good order as well as to safeguard and protect the health, safety, and welfare of the public.

**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, and to safeguard and protect the health, safety, and welfare of the public and for the protection and preservation of life and

property and good order, I do hereby issue this Ninth Emergency Mayoral Proclamation of Executive Order of August 4, 2020 (also referred to as "Proclamation") as set out herein.

**IT IS HEREBY ORDERED** that the Governor's Executive Order No. 1511 (attached as Exhibit "A") is hereby adopted and incorporated as my "Ninth Emergency Mayoral Proclamation of Executive Order" for the City of Biloxi with the following modification:

a. The last sentence of Paragraph IV shall read:

*"Restaurants and bars shall not **sell, serve or distribute alcohol (including beer and wine)** between the hours of 11:00 p.m. and 7:00 a.m."*

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,

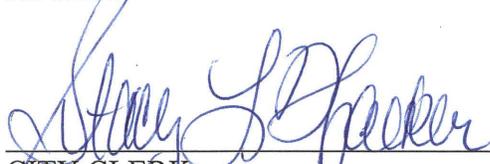
**ORDERED** that violations of this Proclamation of Executive Order may be subject to misdemeanor prosecution in accordance with, including, but not limited to, Miss. Code Ann. § 45-17-9, as amended, § 13-1-15 of the City's Code of Ordinances (with a minimum fine of \$500.00), and, to the extent applicable, Miss. Code Ann. § 33-15-43, as amended, as well as other state laws and provisions in the City's Code of Ordinances. The City will also provide notice of such violations to the State ABC Board. It is further,

**ORDERED** that, this Ninth Emergency Mayoral Proclamation of Executive Order shall be, and hereby is, effective at 5:00 p.m. on Wednesday, August 5, 2020, and shall remain in effect through August 17, 2020 unless amended, rescinded, or superseded by another applicable Mayoral Proclamation or Executive Order, or Resolution, or the termination of the current (and ongoing) State of Emergency related to this pandemic issued by the City of Biloxi, whichever shall occur first.

THIS, the 4th day of August, 2020, at 2:00 p.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. 1511

**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 May 28, 2020, I issued Executive Order 1492 establishing the statewide Safe Return order to restart the economy, open all businesses and non-profits operating within the State of Mississippi, and permit the resumption of community activities subject to limitations to minimize person to person interactions and associated risk of transmission of COVID-19 effective 8:00 a.m. on Monday, June 1, 2020, and remaining in full force and effect until 8:00 a.m. on Monday, June 15, 2020; and

**WHEREAS**, Executive Order 1492, as amended and extended by Executive Orders 1496, 1500, 1505 and 1508 has been extended and remains in full force and effect until 8:00 a.m. on Monday, August 3, 2020; 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**, continuing to follow a measured and strategic plan to allow all businesses and non-profits to continue to operate within the State of Mississippi is essential to the health, safety and well-being of Mississippi residents; and

**WHEREAS**, due to the recent increase in COVID-19 cases over the past few weeks, and in consultation with the State Health Officer, it is necessary to amend the Safe Return order to adopt further measures to disrupt the spread of the virus.

**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. Paragraph I(c) of Executive Order 1492 is amended and superseded as follows: ***Group Gatherings (Indoor)***: Social gathering/activities shall be limited to a maximum of 10 participants indoor. All individuals shall maintain social

distancing of a minimum of 6 feet distance between individuals not in the same household. This limitation shall not apply to religious entities, students in classrooms or gatherings in facilities governed by other capacity limitations.

- II. Paragraph I(d) of Executive Order 1492 is amended and superseded as follows: **Group Gatherings (Outdoor):** Social gathering/activities shall be limited to a maximum of 20 participants outdoor. All individuals shall maintain social distancing of a minimum of 6 feet distance between individuals not in the same household. This limitation shall not apply to religious entities or gatherings governed by other capacity limitations.
- III. Paragraph I(a) of Executive Order 1496 is amended to limit the sale of alcohol in bars to only seated patrons. Bars shall continue to be subject to the additional limitations in Paragraph I(a) and its subparts of Executive Order 1478, including limiting the number of customers in the bar to 50% of maximum capacity and updating floor plans to ensure at least six feet of separation between each party/group and limiting party sizes to a maximum of six customers per table.
- IV. Paragraph I(f)(vii) of Executive Order 1492 incorporating Paragraph I(a) of Executive Order 1478, and Paragraph I(a) of Executive Order 1496 are amended and superseded as follows: Restaurants and bars shall not ~~sell alcohol~~ between the hours of 11:00 p.m. and 7:00 a.m. (see \* 8-4-20)
- V. This Executive Order shall be effective upon execution and shall remain in full force and effect until 8:00 a.m. on Monday, August 3, 2020, unless it is modified, amended, rescinded, or superseded.



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 24<sup>th</sup> day of July, 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-fifth.

*Late Reeves*  
LATE REEVES  
GOVERNOR

BY THE GOVERNOR

*Michael Watson*

MICHAEL WATSON  
SECRETARY OF STATE

(\*) shall not  
sell, serve, or  
distribute  
alcohol  
(including  
wine and beer)