

IN THE CITY OF GULFPORT  
FIRST JUDICIAL DISTRICT OF HARRISON COUNTY  
STATE OF MISSISSIPPI

**COVID-19 EXECUTIVE ORDER NO. 8**

**EMERGENCY MAYORAL PROCLAMATION OF  
EXECUTIVE ORDER REGARDING COVID-19 OUTBREAK  
IN THE CITY OF GULFPORT, MISSISSIPPI FOLLOWING  
ISSUANCE OF THE GOVERNOR'S EXECUTIVE ORDER NO. 1480**

**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 Gulfport, and to safeguard and protect the health, safety, and welfare of the public and for the protection of life and property, I declared a state of emergency on March 14, 2020, and issued an “Emergency Proclamation of Executive Order” on March 20, 2020, in an effort to combat the spread of the COVID-19 virus in the City of Gulfport, and such Emergency Proclamation has been followed by the issuance of several additional “Emergency Proclamation of Executive Orders” since that time, including a “Safer-at-Home” Order (“COVID-19 Executive Order No. 2”) issued on March 31, 2020; and

**WHEREAS**, pursuant to the Mississippi’s “Emergency Management Act” (Miss. Code Ann. §§ 33-15-1, et seq.), and following the issuance of a State-wide declaration of emergency and the date of my first Emergency Mayoral Proclamation, the Governor of the State of Mississippi has since issued multiple State-wide “Executive Orders” applicable to municipalities and their residents, including “Executive Order No. 1466” issued on April 1, 2020, as a “Shelter in Place” Order in effect for the State of Mississippi; and

**WHEREAS**, the Governor’s Executive Order No. 1466 previously stated and recognized that, with limited restriction, local governments, such as the City of Gulfport, may adopt and issue orders, rules, regulations, and resolutions and take actions “that are more strict” than those set out in Executive Order No. 1466, and, also, that the Supplement to Executive Order No. 1463, which was issued by the Governor on March 26, 2020, stated that no local government in the State “shall adopt any measures that are less restrictive” than the provisions set out therein; and

**WHEREAS**, in view of the fact that the Governor’s Executive Order No. 1466 instituted further restrictions in place with respect to the ongoing pandemic than were set out in my prior Emergency Proclamations of Executive Orders relating to the growing outbreak of this disease, including the issuance of a more restrictive “Shelter in Place” Order, I issued “COVID-19 Executive Order No. 3” on April 3, 2020, as a means of supplementing the Executive Orders I previously issued on March 20, 2020, and on March 31, 2020; and

**WHEREAS**, on April 17, 2020, the Governor issued Executive Order No. 1473, wherein he extended his prior “Shelter in Place” Order through 8:00 a.m. on April 27, 2020, along with

some modifications concerning prior restrictions, and later on April 17, 2020, I issued “COVID-19 Executive Order No. 4” that modified my prior Executive Orders concerning continued efforts to combat the spread of COVID-19 in the City of Gulfport, and which included the limited opening of the City’s beach, modified recreational boating use, and retail sales involving non-essential businesses limited to drive-thru, curbside, and/or delivery services; and

**WHEREAS**, on April 24, 2020, the Governor issued Executive Order No. 1477, wherein he replaced his “Shelter in Place” Order restrictions (Executive Order No. 1466) with those as part of a “Safer-at-Home” effort to address the virus outbreak; and

**WHEREAS**, later on April 24, 2020, and in response to the Governor’s Executive Order No. 1477, I issued “COVID-19 Executive Order No. 5,” which adopted and incorporated the Governor’s “Safer-at-Home” Order (Executive Order No. 1477) issued earlier that date with the lone exceptions being that all retail businesses shall adopt reasonable measures to prevent the spread of COVID-19, including, but not limited to, limiting the number of customers in their stores to no greater than twenty percent (20%) of their permitted occupancy limit at any one time, along with other restrictions, and the continuation of a City-wide curfew from 11:00 p.m. to 5:00 a.m., which such curfew has since been discontinued and canceled in my “COVID-19 Executive Order No. 6” issued on May 1, 2020; and

**WHEREAS**, on May 4, 2020, the Governor issued Executive Order No. 1478, which reconfigured prior restrictions issued as part of his “Safer-at-Home” Order (No. 1477), specifically restrictions related to restaurants and bars that serve food, parks, and outdoor recreational activities; and

**WHEREAS**, on May 5, 2020, I issued “COVID-19 Executive Order No. 7,” which adopted and incorporated provisions from the Governor’s Executive Order No. 1478; and

**WHEREAS**, in accordance with Paragraph “(d)(i)” on page 6 in the “COVID-19 Executive Order No. 3” that I signed and issued on April 3, 2020, which was subsequently modified by “COVID-19 Executive Order No. 4” signed and issued by me on April 17, 2020, (page 3), various operations of personal care and grooming businesses, such as barber shops, nail salons, beauty parlors, and salons, as well as gyms, health clubs, fitness centers, cross training gyms, and exercise studios were suspended, with such suspension of non-Minimum Operations of these businesses continued by adoption of the Governor’s Executive Order No. 1478, as set forth in the “COVID-19 Executive Order No. 5” signed and issued by me on April 24, 2020; and

**WHEREAS**, earlier today, on May 8, 2020, the Governor issued Executive Order No. 1480, which extends his “Safer-at-Home” Order (Executive Order No. 1477) through 8:00 a.m. on Monday, May 25, 2020, with exceptions as to the allowance now of salons, barber shops, and other personal care and personal grooming facilities to resume operations subject to various conditions and as to the allowance of fitness and exercise gyms to similarly resume operations subject to similar type conditions; and

**WHEREAS**, in recognition of the findings set out in the Governor’s Executive Order No. 1480 issued earlier today 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 Gulfport, 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; and

**WHEREAS**, I further find that the restrictions set forth in my prior Emergency Proclamations of Executive Order and those set out herein do not prevent any “Essential Business” from operating at such level necessary to provide essential services and functions during the current and ongoing state of emergency associated with the COVID-19 outbreak but are needed and necessary to preserve and protect life, property, and good order as well as to safeguard and protect the health, safety, and welfare of the public.

**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 Gulfport, 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 Emergency Mayoral Proclamation of Executive Order (also referred to as “Proclamation”) as set out herein.

**IT IS HEREBY ORDERED**, that “Executive Order No. 1480” issued by the Governor of the State of Mississippi on May 8, 2020, is hereby adopted and incorporated as my “Emergency Mayoral Proclamation of Executive Order” for the City of Gulfport and shall take effect at 8:01 a.m. on Monday, May 11, 2020, unless specifically in conflict with any of the following provisions herein. It is further,

**ORDERED**, that, for purposes of clarity, operations of *personal care and grooming businesses, such as barber shops, nail salons, beauty parlors, and hair salons*, which have heretofore been suspended to some degree, shall be permitted to now resume subject to full compliance with all of the conditions set forth in the Governor’s Executive Order No. 1480 (pages 2-3) issued on May 8, 2020, with such services to resume effective 8:01 a.m. on Monday, May 11, 2020. It is further,

**ORDERED**, that, for similar ease of understanding, operations of *fitness and exercise gym businesses, such as health clubs, fitness centers, cross training gyms, and exercise and dance studios*, which have also heretofore been suspended to some degree, shall likewise be permitted to now resume limited operations subject to compliance with all of the conditions set forth in the Governor’s Executive Order No. 1480 (pages 2-3) issued on May 8, 2020, with such limited services to resume effective 8:01 a.m. on Monday, May 11, 2020. 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, § 7-19 of the City’s Code of Ordinances, and, to the extent applicable,

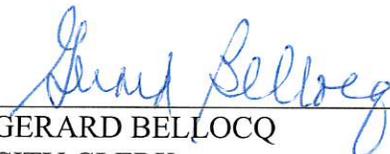
Miss. Code Ann. § 33-15-43, as amended, as well as other state laws and provisions in the City's Code of Ordinances. It is further,

**ORDERED** that, except for what is otherwise set out herein, this Emergency Mayoral Proclamation of Executive Order shall be, and hereby is, effective at 8:01 a.m. on Monday, May 11, 2020, and shall remain in effect until amended, rescinded, or superseded by another applicable Mayoral Proclamation or Executive Order or the termination of the current (and ongoing) State of Emergency related to this pandemic issued by the City of Gulfport, whichever shall occur first.

THIS, the 8<sup>TH</sup> day of May, 2020, at 5:00 p.m.

  
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MAYOR BILLY HEWES  
CITY OF GULFPORT, MISSISSIPPI

ATTEST:

  
\_\_\_\_\_  
GERARD BELLOCQ  
CITY CLERK  
CITY OF GULFPORT, MISSISSIPPI