

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

**COVID-19 EXECUTIVE ORDER NO. 4**

**EMERGENCY MAYORAL PROCLAMATION OF  
EXECUTIVE ORDER REGARDING CONTINUED EFFORTS  
TO COMBAT THE SPREAD OF COVID-19 IN THE CITY OF  
GULFPORT, MISSISSIPPI FOLLOWING ISSUANCE OF THE  
GOVERNOR'S EXECUTIVE ORDER NO. 1473**

**WHEREAS**, 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 of life and property, on March 31, 2020, I issued "COVID-19 Executive Order No. 2," entitled "Emergency Mayoral Proclamation Regarding Additional Efforts to Further Combat the Spread of COVID-19 in the City of Gulfport, Mississippi, Including the Establishment of a Temporary Mandatory Curfew and Issuance of a 'Safer-at-Home' Order," which became effective at 11:59 p.m. on Tuesday, March 31, 2020; 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" late in the afternoon on April 1, 2020, and which became effective at 5:00 p.m. on Friday, April 3, 2020, wherein he placed a "Shelter in Place" Order in effect for the State of Mississippi; and

**WHEREAS**, the Governor's Executive Order No. 1466 previously expressly 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**, earlier today 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

**WHEREAS**, in response to Executive Order No. 1473 and in recognition of the findings set out therein as well as the rationale for continued 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.

**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 all provisions of the “Emergency Mayoral Proclamation of Executive Order” issued by me on March 20, 2020, (referred to as “COVID-19 Executive Order No. 1”), the Emergency Mayoral Proclamation of Executive Order” issued by me on March 31, 2020, (referred to as “COVID-19 Executive Order No. 2”), and the “Emergency Mayoral Proclamation of Executive Order” issued by me on April 3, 2020, (referred to as “COVID-19 Executive Order No. 3”) not expressly in conflict with the provisions of this additional Proclamation herein shall remain in full force and effect. It is further,

**ORDERED** that, in view of the Governor’s Executive Order No. 1473, *the City’s beach area* located near the southern end of 20<sup>th</sup> Avenue between Moses Pier and Urie Pier shall, effective at 8:01 a.m. on Monday, April 20, 2020, be open on a limited basis only for those persons properly adhering to the most recent regulations or guidelines issued by the Centers for Disease Control and Prevention (“CDC”), the Mississippi Department of Health (“MDOH”), or the President of the United States with respect to prevention and protection against the spread of this virus, whichever is strictest, including, but not limited to, social distancing requirements (e.g., minimally staying at least six (6) feet away from others) and guidelines or guidance on restrictions of gathering of persons (e.g., avoiding groups in excess of ten (10) persons) and regular and proper hand-washing and personal hygiene (e.g., using hand sanitizers that minimally contain 70% alcohol or washing hands with soap in excess of twenty (20) seconds). It is further,

**ORDERED** that, in view of the Governor’s Executive Order No. 1473, *recreational boating* is permitted only to the extent that the same is for purposes of outdoor recreation, the number of persons in each watercraft is limited to the greater of two (2) occupants or 50% of the occupancy limit of all multi-person watercraft, and users thereof must comply with the most recent regulations or guidelines issued by the CDC, the MDOH, or the President of the United States with respect to prevention and protection against the spread of this virus, whichever is strictest, including, but not limited to, social distancing requirements (e.g., minimally staying at least six (6) feet away from others) and guidelines or guidance on restrictions of gathering of

persons (e.g., avoiding groups in excess of ten (10) persons) and regular and proper hand-washing and personal hygiene (e.g., using hand sanitizers that minimally contain 70% alcohol or washing hands with soap in excess of twenty (20) seconds). It is further,

**ORDERED** that as set forth in the Governor's Executive Order No. 1473, "Minimum Operations," as described and set out in Paragraph (a)(ii) on page 5 of "COVID-19 Executive Order No. 3" and which applies to all businesses and non-profit entities operating within the City of Gulfport that are not "Essential Businesses or Operations," as these were identified and described in Paragraph (b)(i) on page 5 of "COVID-19 Executive Order No. 3," is hereby 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 and take all steps reasonably necessary to adhere to the most recent regulations or guidelines issued by the CDC, the MDOH, or the President, whichever shall be the strictest, regarding the prevention and protection against the spread of this virus, including, but not limited to, social distancing requirements (e.g., minimally staying at least six (6) feet away from others) and guidelines or guidance on restrictions of gathering of persons (e.g., avoiding groups in excess of ten (10) persons) and regular and proper hand-washing and personal hygiene (e.g., using hand sanitizers that minimally contain 70% alcohol or washing hands with soap in excess of twenty (20) seconds). It is further,

**ORDERED**, that *the City-wide curfew* instituted previously on page eight (8) of the "Emergency Proclamation of Executive Order" ("COVID-19 Executive Order No. 2") issued on March 31, 2020) and renewed in COVID-19 Executive Order No. 3 and supplements thereto, *shall continue and remain in effect* as set forth in these prior Executive Orders from 11:00 p.m. to 5:00 a.m. each day of the week until further notice or modification or rescission of the same and with the same exceptions and conditions identified and set forth in "Executive Order No. 2," such continuance effective as of 5:00 p.m. on April 17, 2020. It is further,

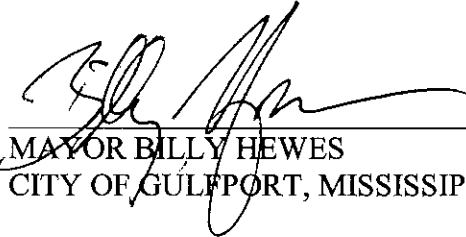
**ORDERED** that this Proclamation of Executive Order shall be: (1) filed with the City Clerk; (2) distributed to the news media and other organizations reasonably calculated to bring its contents to the attention of the general public; and (3) distributed to others as necessary to ensure proper implementation 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 and the curfew referenced herein, this Emergency Mayoral Proclamation of Executive Order shall be, and hereby is, effective at 8:01 a.m. on Monday, April 20, 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 17<sup>TH</sup> day of April, 2020, at 4:30 p.m.

  
MAYOR BILLY HEWES  
CITY OF GULFPORT, MISSISSIPPI

ATTEST:

  
GERARD BELLOCQ  
CITY CLERK  
CITY OF GULFPORT, MISSISSIPPI