

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF NATCHEZ, MISSISSIPPI, REINSTATEMENT, AMENDMENT AND
EXTENSION OF THE
STAY AT HOME ORDER
AND ADDITIONAL MEASURES FOR THE CONTROL OF
CONTAGIOUS AND INFECTIOUS DISEASES AND FOR THE
PROTECTION OF PUBLIC HEALTH
AND WELFARE AND FOR RELATED PURPOSES

WHEREAS, the Mayor and the Board of Aldermen of the City of Natchez declared a Stay at Home Order on March 24, 2020, as a result of the spread of the coronavirus which became effective March 25, 2020, at 5:00 p.m. and remained in effect for 15 days; and,

WHEREAS, Tate Reeves, Governor of the State of Mississippi declared a Shelter in Place Order and Directive on April 3, 2020, as a result of the spread of the coronavirus which was made effective at 5:00 p.m. on April 3, 2020, and is to remain in full force and effect until 8:00 a.m. on April 20, 2020, unless rescinded, modified or extended; and

WHEREAS, Section 21-19-3 of the Mississippi Code of 1972, as amended, provides that the City has the power to make regulations to prevent the introduction and spread of contagious or infectious diseases; to make quarantine laws for that purpose, and enforce the same within five miles of the corporate limits; and

WHEREAS, Section 21-13-11 of the Mississippi Code of 1972, as amended, provides that the City has power to make all needful police regulations necessary for the preservation of good order and peace of the municipality and to prevent injury to, destruction of, or interference with public or private property; and

WHEREAS, Section 33-15-17 of the Mississippi Code of 1972, as amended, provides that during a local emergency, the governing body of a political subdivision may promulgate orders and regulations necessary to provide for the protection of life and property, including orders or regulations imposing a curfew within designated boundaries where necessary to preserve the public order and safety; and

WHEREAS, the emergence and risk of the spread of the coronavirus within Mississippi continues to constitute a public emergency that has resulted in substantial injury or harm to life, health and property within Mississippi, and in the City of Natchez, and the coronavirus has already been detected in numerous individuals in multiple counties throughout the State, and in several individuals within the City of Natchez, Mississippi; and

WHEREAS, on March 11, 2020, the Mississippi State Department of Health confirmed the first presumptive case of the coronavirus in Mississippi, and as of March 21, 2020, there were at least 207 cases in Mississippi of individuals who have tested positive for the coronavirus, resulting in at least one death in the State; and

WHEREAS, as of July 1, 2020, the Mississippi State Department of Health report that there are 870 new cases of the coronavirus in Mississippi, and 10 new Covid-19 related deaths in the State with a total of 280 cases to date reported in Adams County with 18 deaths reported; and

WHEREAS, the State of Mississippi and the City of Natchez continue to be adversely affected by the outbreak of the coronavirus, and there exists a continued threat to the public's safety, private property and the social and economic welfare of this City, County and State; and

WHEREAS, the Centers for Disease Control (CDC) and the Mississippi Department of Health guidelines for responding to the coronavirus recommend avoiding crowds or gatherings of more than 10 people; and

WHEREAS, the governing authority of the City of Natchez has reviewed and accepts the findings and recommendations of the CDC and the Mississippi Department of Health, and has further received the same findings and recommendations from health professionals within the City of Natchez and Adams County, and accepts those findings and recommendations; and

WHEREAS, the Mayor and Board of Aldermen continue to find that the coronavirus poses a serious threat to the citizens of the City of Natchez and will continue to cause injury, illness and/or death to persons to such an extent that additional extraordinary measures must be taken to protect the public health, safety and welfare of citizens and visitors to the City of Natchez; and

WHEREAS, Section 21-19-29 of the Mississippi Code allows the Mayor and Board of Aldermen of the City of Natchez to regulate the entrances to public halls and buildings, and the way of ingress and egress to and from the same; and

WHEREAS, Tate Reeves, Governor of the State of Mississippi, issued a Safer at Home Order pursuant to Executive Order No. 1477 on April 24, 2020, providing for new rules and regulations for the citizens and businesses to conduct their lives and businesses which was made effective at 8:00 a.m. on April 27, 2020, and is to remain in full force and effect until 8:00 a.m. on May 11, 2020, unless rescinded, modified or extended; and

WHEREAS, the Mayor and Board of Aldermen previously adopted the rules and regulations provided in the Executive Order No. 1477 issued by the Governor of the State of Mississippi together with a separate list of "Back to Business" guidelines to be followed by the City of Natchez; and,

WHEREAS, the Mayor and Board of Aldermen have determined that the rules and regulations provided in the current Executive Order issued by the Governor of the State of Mississippi are adopted by the City of Natchez as though fully copied herein and shall remain in full force and effect until 11:59 p.m. on July 31, 2020; and

Whereas, the Mayor and Board of Aldermen have determined that it is necessary to adopt a Resolution jointly with the Adams County Board of Supervisors instituting rules and regulations pertaining to the mandatory requirement to wear a mask or face covering as provided for herein in the City of Natchez and Adams County and further that any person violating said rules and regulations in the City of Natchez and Adams County shall be subject to the fines and penalties as provided for in this Stay at Home Order.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN of the City of Natchez, that the City does hereby issue its Stay At Home Order for the following emergency measures that shall take effect immediately, and remain in full force and effect until 11:59 p.m. on July 31, 2020, unless said Stay at Home Order is rescinded by the governmental authority of the City of Natchez or modified and extended as provided for herein, to protect the public health, safety and welfare of the community from the spread of a contagious or infectious disease and to eliminate or limit injuries or deaths that may occur in the absence of such measures.

Section 1: Effective immediately, and to remain in full force and effect until 11:59 p.m. on July 31, 2020, unless rescinded, modified or extended by Motion and Order of the governing authorities of the City of Natchez, the governing authorities are recommending that all citizens of the City of Natchez stay at home until further direction by the City and that all citizens remain at home unless it is essential to your health, safety and welfare to leave your home. Travel to the grocery store, medical, dental and other health related appointments are deemed essential. The citizens are encouraged to maintain social distancing at all times. The governing authorities encourage all citizens to exercise outdoors provided that you should not congregate in groups of more than 20 persons while maintaining proper social distancing during all times of exercising.

Section 2: Effective immediately, and to remain in full force and effect until 11:59 p.m. on July 31, 2020, unless rescinded, modified or extended by Motion and Order of the governing authorities of the City of Natchez, the citizens and businesses of the City of Natchez shall be ordered mandated to follow and abide by the following rules and regulations:

1. Wearing a face covering in public places and/or when working. Any individual who is over age four and able to medically tolerate a face covering shall be required to cover their nose and mouth with a face covering when in a public place and unable to maintain at least six feet of social distancing. Face coverings are required in public indoor spaces such as stores and public outdoor spaces.

A face covering shall be considered a device to cover the nose and mouth of a person to impede the spread of saliva or other fluids during speaking, coughing, sneezing or other intentional or involuntary action. Medical grade masks are not required; coverings may be fashioned from scarves, bandanas, handkerchiefs, or other suitable fabrics.

Face coverings do not need to be worn in the following circumstances:

- a. When exercising outside or engaging in physical activity outside;
- b. When driving alone or with passengers who are part of the same household as the driver;
- c. When doing so poses a greater mental or physical health, safety, or security risk such as anyone who has trouble breathing, or is unconscious, incapacitated or otherwise unable to remove the cover without assistance. For purposes of this subsection, "safety risk" shall include external factors, such as, but not limited to: where wearing a face covering may pose a risk to persons working on ladders or at significant heights, wearing other respiratory protection, heavy physical exertion or operating heavy equipment or operating in an environment where a face covering hinders communications. However, employers are encouraged to structure work to promote social distancing and limit close contact as much as possible within workplaces where face coverings may pose such risks;
- d. When pumping gas;
- e. When in a building or activity that requires security surveillance or screening, (for example, banks);
- f. When working alone in separate office spaces or in non-public workplaces where six feet of social distancing may be consistently maintained; or
- g. When eating or drinking in public at a restaurant, bar, or other food or beverage establishment. A face covering must be worn when entering or exiting any such establishment, and when walking around such establishment and six feet of social distancing cannot be maintained.

2. Face Coverings - Commercial Entities and Establishments. *Notwithstanding any contrary provisions in prior executive orders and consistent with the foregoing provisions stated within this order, all commercial entities, businesses, establishments, restaurants, bars, theatre houses, auditoriums, libraries, and museums providing goods or services directly to the public must require that all employees, patrons, customers, and visitors to the commercial entity's business premises or other facilities wear face coverings when in an area or performing an activity where social distancing of a minimum of six feet cannot be maintained. Such commercial entities and establishments listed in this paragraph must require that all employees, patrons, customers, and visitors wear a face covering when entering or exiting any such facility, and when walking around in any such facility and six feet of social distancing cannot be maintained.*

Such commercial entities, establishments, and facilities listed in this paragraph must post the face covering requirement stated in this Stay at Home Order in a conspicuous location and of sufficient size at the entrance of the business sufficient to provide notice to employees and visitors.

3. Enforceability and Prosecution. If the Chief of Police or any officer acting under his command determines that a violation of this Stay at Home Order has occurred, the Chief of Police or such any officer acting under his command may issue a citation for the violation of any provisions of this Order. Any person or business who violates the mandates of this Stay at Home Order shall be guilty of a misdemeanor and may be subject to the fines and penalties set forth in the City of Natchez Code of Ordinances. The initial fines for citizens shall be \$50.00 for each violation. The initial fines for businesses shall be \$100.00. All proceedings described herein shall be conducted in accordance with Mississippi law.

4. Closure for Failure to Comply with Applicable Guidelines. If a business is issued more than 3 violations for violating any of the provisions of this Order and Regulation, the said business may be subject to the termination of its privilege license to do business in the City of Natchez. At such time that a business violates the provisions of this Order and Regulation, the said business shall be cited to appear before the Mayor and Board of Aldermen to show cause why said business' privilege license should not be cancelled and withdrawn by the City of Natchez.

5. Effective Date; Duration. This Order shall be effective immediately and remain in full force and effect until 12:59 p.m. July 31, 2020 or until modified, amended, rescinded, superseded, or terminated by Motion and Order of the Board of Aldermen.

6. Applicability; Severability. This Order supersedes and replaces any contrary provision in any prior Stay at Home Order. Any provisions within this Order that (i) conflict(s) with any state or federal law or constitutional provision, or (ii) conflict(s) with or are superseded by a current or subsequently-issued Executive Order of the Governor or the President of the United States solely to the extent such Executive Order (a) expressly preempts the substance of this Order or (b) imposes stricter guidelines and closures than set forth herein, shall be deemed inapplicable and deemed to be severed from this Order, with the remainder of this Order remaining intact and in full force and effect.

7. Publication. This Stay at Home Order shall be: (1) promptly filed with the City Clerk; (2) distributed to the news media and other organizations 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 Order.

Aldersperson Joyce Arceneaux Mathis moved for the adoption of the Resolution, which motion was seconded by Aldersperson Benjamin Davis, said Resolution having been introduced at the Special Call meeting of the Mayor and Board of Aldermen of the City of Natchez, Mississippi, held on July 3, 2020, and after deliberation, the question being put to a vote, the Mayor recorded the votes as follows:

Alderswoman Joyce Arceneaux-Mathis

Voted: Aye

Alderman Billie Joe Frazier
Alderwoman Sarah Carter Smith
Alderwoman Felicia Irving
Alderman Benjamin Davis
Alderman Dan Dillard

Voted: Aye
Voted: Aye
Voted: Aye
Voted: Aye
Voted: Aye.

CITY OF NATCHEZ, MISSISSIPPI

BY:

DARRYL V. GRENNELL, MAYOR

ATTEST:

SERVIA FORTENBERRY, CITY CLERK

STATE OF MISSISSIPPI
COUNTY OF ADAMS
CITY OF NATCHEZ

CERTIFICATE

I, Servia Fortenberry, City Clerk for the City of Natchez, Mississippi, hereby certify that the above Resolution was duly passed by the Mayor and Board of Aldermen of the City of Natchez, Mississippi, at a Special Call Board Meeting held on July 3, 2020.

IN WITNESS WHEREOF, I signed and sealed this instrument as the City Clerk of Natchez, Mississippi, this the 3th day of July, 2020.

SERVIA FORTENBERRY, CITY CLERK