

Office of the Mayor
Chokwe A. Lumumba, Mayor



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**MAYORAL PROCLAMATION OF EXECUTIVE ORDER
(1) REQUIRING INDIVIDUALS TO STAY AT HOME AND PRACTICE
SOCIAL DISTANCING REQUIREMENTS, (2) BARRING
NON-ESSENTIAL BUSINESS AND (3) LIMITING CERTAIN
OTHER ACTIVITIES IN THE CITY OF JACKSON**

WHEREAS, I, Chokwe Antar Lumumba, Mayor of the City of Jackson, Mississippi, pursuant to Section 45-17-3 of the Mississippi Code of 1972, as amended, declared and issued a Proclamation continuing the civil emergency initially issued on March 16, 2020 in the wake of the Coronavirus pandemic (COVID-19 spread); and

WHEREAS, I, Chokwe Antar Lumumba, Mayor of the City of Jackson, Mississippi, pursuant to Section 45-17-7, *et seq.*, of the Mississippi Code of 1972, as amended, have the authority to issue such other orders as are necessary for the protection of life and property and in the interest of public safety and welfare, after proclamation of a civil emergency; and

WHEREAS, COVID-19, a respiratory disease that can result in severe illness or death, is caused by the SARS-CoV-2, which is a new strain of Coronavirus that had not been previously identified in humans and can easily spread from person to person; and

WHEREAS, to prevent the spread of the Coronavirus and flatten the growth curve of cases, authorities, all over the globe, are taking extraordinary measures to prohibit and limit nonessential close personal contact; and

WHEREAS, on March 30, 2020 at 2:48 p.m., U.S. Central Standard Time, the World Health Organization reported that there were more than 770,000 global cases of Coronavirus and more than 155,000 cases of Coronavirus and at least 2810 Coronavirus-related deaths in the United States; and

WHEREAS, on March 30, 2020, the Mississippi State Department of Health reported that there were 847 positive cases of COVID-19 in the State of Mississippi, including seventy-four (74) in Hinds County; and

WHEREAS, the City of Jackson is located in Hinds County, Mississippi where seventy-four (74) presumptive cases have been reported and is also the capital city of the State; and

WHEREAS, the Mississippi State Department of Health has advised the citizens of the State of Mississippi to practice social distancing measures and avoid large gatherings; and

WHEREAS, the City of Jackson does not have the luxury of a wait-and-see approach to the Coronavirus pandemic; and

WHEREAS, in the City of Jackson we have taken aggressive measures to mitigate the spread of COVID-19 and flatten the curve; however, this is not enough as the number of cases is increasing exponentially; and

WHEREAS, additional extraordinary measures related to the prevention of the spread of the Coronavirus are necessary and expedient for the health, safety, welfare and good order to protect the public peace and preserve lives.

NOW, THEREFORE, I, Chokwe Antar Lumumba, Mayor of the City of Jackson, Mississippi, pursuant to the authority vested in me by Section 45-17-7, *et seq.*, of the Mississippi Code of 1972, as amended, and in the public interest and for the general welfare of the City of Jackson, do hereby issue this Proclamation of Executive Order (1) Requiring Individuals to Stay at Home or Their Place of Residence and to Practice Social Distancing Requirements, (2) Barring Non-Essential Business, and (3) Limiting Certain Other Activities, as follows:

- 1. Stay at home or place of residence.** With exceptions as outlined below, all individuals currently living within the City of Jackson are ordered to stay at home or at their place of residence except as allowed in this Order. To the extent individuals are using shared outdoor spaces when outside their residence, they must at all times and as much as reasonably possible, maintain social distancing of at least six feet from any other person, with the exception of family or household members, consistent with the Social Distancing Requirements set forth in this Order. All persons may leave their homes or place of residence only for Essential Activities, Essential Governmental Functions, or to participate in Essential Businesses and Operations, all as defined below.

Individuals experiencing homelessness are exempt from this Order, but are strongly urged to obtain shelter. This Order does not apply to incarcerated individuals. They are to follow the guidance of the facility in which they are confined. Individuals whose residences are unsafe or become unsafe, such as victims of domestic violence, are permitted and urged to leave their home and stay at a safe alternative location. For purposes of this Order, homes or residences include hotels, motels, shared rental units, shelters, and similar facilities.

- 2. Non-essential business and operations must cease.** All businesses and operations in the City, except Essential Businesses and Operations as defined below, are required to cease all activities within the City except Minimum Basic Operations, as defined below. For clarity, businesses, including home-based businesses, may also continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home).

All Essential Businesses and Operations may remain open. Essential Businesses and Operations shall comply with Social Distancing Requirements as defined in this Order, including by maintaining six-foot social distancing for both employees and members of

the public at all times, including, but not limited to, when any customers are standing in line.

3. **Prohibited Activities.** All places of public amusement, whether indoors or outdoors, including, but not limited to, locations with amusement rides, water parks, pool halls, theatres, adult entertainment venues, aquariums, zoos, museums, arcades, fairs, children's play centers, playgrounds, funplexes, bowling alleys, concert and music halls, and country clubs or social clubs shall be closed.

All bars, nightclubs, lounges, taverns, and private clubs located in the City of Jackson shall be closed, except to the extent that such establishments may only provide take-out, pick-up delivery, or drive-through services for food as allowed by law.

All retail stores, except for those provided in Section 12(b) of this Order, shall be closed.

All malls, except for stores in a mall that have a direct outdoor entrance and exit that provide essential services and products as provided by the Cybersecurity & Infrastructure Security Agency (CISA) guidelines, shall be closed.

All personal care and grooming businesses, including but not limited to, barber shops, beauty salons, nail salons, spas, massage parlors, tattoo parlors, and other similar businesses shall be closed.

4. **Prohibited and permitted travel.** Only Essential Travel and Essential Activities as defined herein, are permitted. People riding on public transit must comply with Social Distancing Requirements to the greatest extent feasible. This Order allows travel into or out of the City to maintain Essential Businesses and Operations and Minimum Basic Operations.

5. **Leaving the home for Essential Activities is permitted.** For purposes of this Order, individuals may leave their residence only to perform any of the following Essential Activities:

- a. **For health and safety.** To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members or persons who are unable or should not leave their home (including, but not limited to, pets), such as, by way of example only and without limitations, seeking emergency services, obtaining medical supplies or medication, or visiting a health care professional.
- b. **For necessary supplies and services.** To obtain necessary services or supplies for themselves and their family or household members or persons who are unable or should not leave their home, or to deliver those services or supplies to others, such as, by way of example only and without limitation, groceries and food, household consumer products, supplies they need to work from home, automobile supplies (including dealers, parts, supplies, repair and maintenance), and products necessary to maintain the safety, sanitation, and essential operation of residences.

- c. **For outdoor activity.** To engage in outdoor activity, provided the individuals comply with Social Distancing Requirements, as defined below, such as, by way of example and without limitation, walking, hiking, running, or biking.
 - d. **For certain types of work.** To perform work providing essential products and services as Essential Businesses or Operations (which, as defined below, includes Healthcare and Public Health Operations, Human Services Operations, Essential Government Functions, and Essential Infrastructure) or to otherwise carry out activities specifically permitted in this Order, including Minimum Basic Operations.
 - e. **To take care of others.** To care for a family member, friend, or pet in another household, and to transport family members, friends, or pets as allowed by this Order.
6. **Elderly people and those who are vulnerable as a result of illness should take additional precautions.** People at high risk of severe illness from COVID-19, including elderly people and those who are sick, are urged to stay in their residence to the extent possible except as necessary to seek medical care.
7. **Healthcare and Public Health Operations.** For purposes of this Order, individuals may leave their residence to work for or obtain services through Healthcare and Public Health Operations.

Healthcare and Public Health Operations includes, but is not limited to: hospitals; clinics; pharmacies; public health entities; including those that compile, model, analyze and communicate public health information; pharmaceutical, pharmacy, medical device and equipment, and biotechnology companies; organizations collecting blood, platelets, plasma, and other necessary materials; obstetricians and gynecologists; eye care centers, including those that sell glasses and contact lenses; home healthcare service providers; mental health and substance use providers; other healthcare facilities and suppliers and providers of any related and/or ancillary healthcare services; and entities that transport and dispose of medical materials and remains.

Specifically included in Healthcare and Public Health Operations are manufacturers, technicians, logistics, and warehouse operators and distributors of medical equipment, personal protective equipment, medical glasses, pharmaceuticals, blood and blood products, vaccines, testing materials, laboratory supplies, cleaning, sanitizing, disinfecting or sterilization supplies, and tissue and paper towel products.

Healthcare and Public Health Operations also includes veterinary care and all healthcare services provided to animals.

Healthcare and Public Health Operations shall be construed broadly to avoid any impacts to the delivery of healthcare, broadly defined. Healthcare and Public Health Operations does not include fitness and exercise gyms, spas, salons, barber shops, tattoo parlors, and similar facilities.

- 8. Human Services Operations.** For purposes of this Order, individuals may leave their residence to work for or obtain services at any Human Services Operations.

Human Services Operations includes, but is not limited to: long-term care facilities; day care centers, day care homes, group day care homes; residential settings and shelters for adults, seniors, children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness; transitional facilities; home-based settings to provide services to individuals with physical, intellectual, and/or developmental disabilities, seniors, adults, and children; field offices that provide and help to determine eligibility for basic needs including food, cash, assistance, medical coverage, child care, vocational services, rehabilitation services; developmental centers; adoption agencies; businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged individuals, individuals with physical, intellectual, and/or developmental disabilities, or otherwise needy individuals.

Human Services Operations shall be construed broadly to avoid any impacts to the delivery of human services, broadly defined.

- 9. Essential Infrastructure.** For purposes of this Order, individuals may leave their residence to provide any services or perform any work necessary to operate, maintain and repair Essential Infrastructure.

Essential Infrastructure includes, but is not limited to: food production, distribution, fulfillment centers, storage facilities, and sale; construction (including, but not limited to, construction required in response to the COVID-19 public health emergency, hospital construction, construction of long-term care facilities, public works construction, school construction, essential business construction, and housing construction); building management and maintenance; airport operations; operation and maintenance of utilities, including water, sewer, and gas; electrical (including power generation, distribution, and production of raw materials); distribution centers; oil and biofuel refining; roads, highways, railroads, and public transportation; cybersecurity operations; flood control; solid waste and recycling collection and removal; and internet, video, and telecommunications systems (including the provision of essential global; national, and local infrastructure for computing services, business infrastructure, communications, and web-based services).

Essential Infrastructure shall be construed broadly to avoid any impacts to essential infrastructure, broadly defined.

- 10. Essential Governmental Functions.** For purposes of this Order, all first responders, emergency management personnel, emergency dispatchers, City Council members, judges, court personnel, law enforcement and corrections personnel, hazardous materials responders, child protection and child welfare personnel, housing and shelter personnel,

military, and other governmental employees working for or to support Essential Businesses and Operations are categorically exempt from this Order.

Essential Government Functions means all services provided by the City and needed to ensure the continuing operation of the government or to provide for or support the health, safety and welfare of the public, and including contractors performing Essential Governmental Functions. Each City department shall determine its Essential Governmental Functions and identify employees and/or contractors necessary to the performance of those functions.

This Order does not apply to the Federal, State, and County governments or the City of Jackson's Municipal Court.

11. Businesses covered by this Order. For the purposes of this Order, covered businesses include any for-profit, or educational entities, regardless of the nature of the service, the function it performs, or its corporate or entity structure.

12. Essential Businesses and Operations. For the purposes of this Order, Essential Businesses and Operations means Healthcare and Public Health Operations, Human Services Operations, Essential Governmental Functions, and Essential Infrastructure, and the following:

- a. CISA List.** On March 19, 2020, the U.S. Department of Homeland Security, Cybersecurity & Infrastructure Security Agency (CISA), issued a *Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response*. The definition of Essential Businesses and Operations in this Order includes all the workers identified in that Memorandum;
- b. Stores that sell groceries and medicine.** Grocery stores, pharmacies, certified farmers' markets, farm and produce stands, supermarkets, convenience stores, and other establishments engaged in the retail sale of groceries, canned food, dry goods, frozen foods, fresh fruits and vegetables, pet supplies, fresh meats, fish, and poultry, prepared food, package alcoholic and non-alcoholic beverages, any other household consumer products (such as cleaning and personal care products), and specifically includes their supply chain and administrative support operations. This includes stores that sell groceries, medicine, including medication not requiring a medical prescription, and products necessary to maintaining the safety, sanitation, and essential operation of residences and Essential Businesses and Operations;
- c. Food, beverage, and agriculture.** Food and beverage manufacturing, production, processing, and cultivation, including farming, livestock, fishing, baking, and other production agriculture, including cultivation, marketing, production, and distribution of animals and goods for consumption; and businesses that provide food, shelter, and other necessities of life for animals, including animal shelters, rescues, shelters, kennels, and adoption facilities;

- d. Organizations that provide charitable and social services.** Businesses and religious and secular nonprofit organizations, including food banks, when providing food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals who need assistance as a result of this emergency, and people with disabilities;
- e. Media.** Newspapers, television, radio, and other media services;
- f. Gas stations and businesses needed for transportation.** Gas stations and auto supply, auto repair, farm equipment, construction equipment, boat repair, and related facilities and bicycle shops and related facilities;
- g. Financial and insurance institutions.** Bank, currency exchanges, consumer lenders, including but not limited, to pawnbrokers, consumer installment lenders and sales finance lenders, credit unions, appraisers, title companies, financial markets, trading and futures, exchanges, payday lenders, affiliates of financial institutions, entities that issue bonds, related financial institutions, and institutions selling financial products. Also insurance companies, underwriters, agents, brokers, and related insurance claims and agency services;
- h. Hardware and supply stores.** Hardware stores and businesses that sell electrical, plumbing, and heating material;
- i. Critical trades.** Building and Construction Tradesmen and Tradeswomen, and other trades including but not limited to plumbers, electricians, exterminators, cleaning and janitorial staff for commercial and governmental properties, security staff, operating engineers, HVAC, painting, moving and relocation services, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses and Operations;
- j. Mail, post, shipping, logistics, delivery, and pick-up services.** Post Offices and other businesses that provide shipping and delivery services, and businesses that ship or deliver groceries, food, alcoholic and non-alcoholic beverages, goods, vehicles or services to end users or through commercial channels;
- k. Educational institutions.** Educational institutions – including public and private pre-K-12 schools, colleges, and universities – for purposes of facilitating distance learning, performing critical research, or performing essential functions, provided that social distancing of six-feet per person is maintained to be the greatest extent possible.
- l. Laundry services.** Laundromats, dry cleaners, industrial laundry services, and laundry service providers;
- m. Restaurants for consumption off-premises.** Restaurants and other facilities that prepare and serve food, but only for consumption off-premises, through such means as in-house delivery, third-party delivery, drive-through, pick-up, and carry-out. There shall be no in-house dining or available sitting areas for the public. Schools and other entities that typically provide food services to students or members of the public may continue to do so under this Order on the condition that the food is provided to students or members of the public on a pick-up and takeaway basis only. Schools and

other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site due to the virus's propensity to physically impact surfaces and personal property. This Order is consistent with and does not supersede the prior Order regarding the closure of bars and limiting of restaurants.

- n. **Supplies to work from home.** Businesses that sell, manufacture, or supply products needed for people to work from home;
- o. **Supplies for Essential Businesses and Operations.** Businesses that sell, manufacture, or supply other Essential Businesses and Operations with the support or materials necessary to operate, including computers, audio and video electronics, household appliances; IT and telecommunication equipment; hardware, paint, flat glass; electrical, plumbing and heating material; sanitary equipment; personal hygiene products; food, food additives, ingredients and components; medical and orthopedic equipment; optics and photography equipment; diagnostics, food and beverages, chemicals, soaps and detergent; and firearm and ammunition suppliers and retailers for purposes of safety and security;
- p. **Transportation.** Airlines, taxis, transportation network providers (such as Uber and Lyft), vehicle rental services, paratransit, and other private, public, and commercial transportation and logistics providers necessary for Essential Activities and other purposes expressly authorized in this Order;
- q. **Home-based care and services.** Home-based care for adults, seniors, children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness, including caregivers such as nannies who may travel to the child's home to provide care, and other in-home services including meal delivery;
- r. **Residential facilities and shelters.** Residential facilities and shelters for adults, seniors, children, pets, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness;
- s. **Professional services.** Professional services, such as legal services, accounting services, insurance services, real estate services (including appraisal and title services);
- t. **Manufacture, distribution, and supply chain for critical products and industries.** Manufacturing companies, distributors, and supply chain companies producing and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, healthcare, chemicals and sanitization, waste pickup and disposal, agriculture, food and beverage, transportation, energy, steel and steel products, petroleum and fuel, mining, construction, national defense, communications, as well as products used by other Essential Businesses and Operations.
- u. **Hotels and motels.** Hotels and motels, to the extent used for lodging and delivery or carry-out food services.
- v. **Funeral services.** Funeral, mortuary, cremation, burial, cemetery, and related funeral services.

- w. **Religious entities.** Religious, spiritual and faith-based entities, groups, and gatherings provided that they comply with Social Distancing Requirements as defined in this Order.
- x. **Essential Businesses and Operations.** Any Essential Businesses and Operations listed in Executive Order No. 1463 issued by the Governor of the State of Mississippi.

13. Minimum Basic Operations. For purposes of this Order, Minimum Basic Operations include the following, provided that employees comply with Social Distancing Requirements, to the extent possible, while carrying out such operations:

- a. The minimum necessary activities to maintain the value of the business's inventory, preserve the condition of the business's physical plant and equipment, ensure security, process payroll and employee benefits, or for related functions.
- b. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.

14. Essential Travel. For the purposes of this Order, Essential Travel includes travel for any of the following purposes. Individuals engaged in any Essential Travel must comply with all Social Distancing Requirements as defined in this Section.

- a. Any travel related to the provision of or access to Essential Activities, Essential Governmental Functions, Essential Businesses and Operations, or Minimum Basic Operations.
- b. Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons.
- c. Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related services.
- d. Travel to return to a place of residence from outside the City.
- e. Travel required by law enforcement or court order, including to transport children pursuant to a custody agreement.
- f. Travel required for non-residents to return to their place of residence outside the State.

15. Social Distancing Requirements. For purposes of this Order, Social Distancing Requirements include maintaining at least six-foot social distancing from other individuals, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands.

- a. **Required measurers.** Essential Businesses and Operations and businesses engaged in Minimum Basic Operations must take proactive measures to ensure compliance with Social Distancing Requirements, including where possible:

- i. **Designate six-foot distances.** Designating with signage, tape, or by other means six-foot spacing for employees and customers in line to maintain appropriate distance;
- ii. **Hand sanitizer and sanitizing products.** Having hand sanitizer and sanitizing products readily available for employees and customers;
- iii. **Separate operating hours for vulnerable populations.** Implementing separate operating hours for elderly and vulnerable customers; and
- iv. **Online and remote access.** Posting online whether a facility is open and how best to reach the facility and continue services by phone or remotely.

16. Intent of this Order. The intent of this Order is to ensure that the maximum number of people self-isolate in their places or residence to the maximum extent feasible, while enabling essential services to continue, to slow the spread of COVID-19 to the greatest extent possible. When people need to leave their places of residence, whether to perform Essential Activities, or to otherwise facilitate authorized activities necessary for continuity of social and commercial life, they should at all times and as much as reasonably possible comply with Social Distancing Requirements. This Order is also intended to protect against further loss or damage to public or private places through contamination or other exposure to COVID-19. All provisions of this Order should be interpreted to effectuate the intent of the Order.

17. Previous Orders superseded. This Order, upon the date of effectiveness, supersedes, only to the extent that it conflicts, and amends any previous Order which conflicts with the provisions of this Order.

18. Duration. This Order shall be effective 12:00 a.m. on Friday, April 3, 2020 and remain in full force and effect until 11:59 p.m. on April 17, 2020, unless rescinded or superseded by another applicable Order. This Executive Order will be periodically reviewed and continued, if necessary. A Proclamation of Executive Order rescinding the corresponding Proclamation of Civil Emergency will automatically rescind this Proclamation of Executive Order.

19. Savings Clause. If any provision of this Order or its application to any person or circumstances is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Order, which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Order are declared to be severable.

20. Enforceability and Prosecution. Violations of this Proclamation of Executive Order may be subject to misdemeanor prosecution pursuant to Section 45-17-9 of the Mississippi Code of 1972, as amended and Section 86-1 of the Jackson Code of Ordinances.

21. Publication. This Proclamation of Executive 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 Proclamation of Executive Order.

WITNESS MY HAND, this the 31st day of March, 2020 at 4:20 am/pm



**CHOKWE A. LUMUMBA, MAYOR
CITY OF JACKSON, MISSISSIPPI**


CITY CLERK A.H.