

Office of the Mayor
Chokwe A. Lumumba, Mayor



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**THIRD AMENDED STAY SAFE JACKSON EXECUTIVE ORDER
CITY OF JACKSON, MISSISSIPPI
EFFECTIVE TUESDAY, AUGUST 4, 2020**

WHEREAS, on June 3, 2020, 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 an Executive Order Continuing the Civil Emergency that was initially issued on March 16, 2020 in the wake of the Coronavirus pandemic, and continued on March 31st, April 16th, April 30th, and May 16th; and

WHEREAS, I, Chokwe Antar Lumumba, Mayor of the City of Jackson, Mississippi, pursuant to Section 45-17-7(e) 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, I, Chokwe Antar Lumumba, Mayor of the City of Jackson, Mississippi recognize the emergency declarations of the President of the United States and the Governor of the State of Mississippi related to the spread of COVID-19 disease in our community; and

WHEREAS, COVID-19 is a disease caused by a novel coronavirus, previously unknown in humans, and causes upper-respiratory tract illness that can range from mild to severe, spread quickly, and may cause death, particularly in older adults and persons with certain chronic medical conditions; and

WHEREAS, the World Health Organization declared COVID-19 to be a global pandemic as of March 15, 2020; and

WHEREAS, I, Chokwe Antar Lumumba, formed a COVID-19 Response Task Force to provide medical guidance, business and community guidance, and scientifically based recommendations on measures the City of Jackson could implement to better contain and mitigate the spread of COVID-19; and

WHEREAS, I, Chokwe Antar Lumumba, Mayor of the City of Jackson, Mississippi find that an emergency of an unprecedented health threat resulting from the natural cause of

community spread of a novel human coronavirus disease, COVID-19, has occurred in the City of Jackson; and

WHEREAS, the number of confirmed COVID-19 cases in Hinds County where the City of Jackson is situated is increasing exponentially, indicating that continued social distancing measures are needed to reduce the number of people who become sick at any given time; and

WHEREAS, as of August 2, 2020, Mississippi has identified 61,125 cases of coronavirus, including 5269 cases in Hinds County; and

WHEREAS, as of August 2, 2020, Mississippi has 1711 recorded deaths attributed to COVID-19, with 106 of those deaths occurring in Hinds County; and

WHEREAS, the statewide reopening of the State of Mississippi effectively forced the City of Jackson to lift the Stay-at-Home Order and begin the precarious process of reopening the City; and

WHEREAS, since businesses reopened and as of August 2, 2020, the State of Mississippi, including Hinds County, has experienced a sharp increase in coronavirus transmission rates; and

WHEREAS, since businesses reopened and as of August 2, 2020, the State of Mississippi, including Hinds County, has experienced an increasing trend of hospitalizations for confirmed COVID-19 cases; and

WHEREAS, recently, Dr. Anthony Fauci, the U.S.'s top infectious-disease expert, advised that congregating in bars poses a significant risk and is one of the most dangerous things people could do right now; and

WHEREAS, COVID-19 can easily spread when people are congregating for long periods of time, like inside a bar; and

WHEREAS, consuming alcohol reduces inhibitions that leads to less compliance with wearing face coverings and socially distancing oneself; and

WHEREAS, bars are generally noisy, requiring patrons to shout, which spreads droplets more widely; and

WHEREAS, bars tend to be tightly packed with substantial foot traffic; and

WHEREAS, in states where there has been significant spikes, such as Arizona, Texas and Florida, they have all taken actions to roll back the reopening of bars; and

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

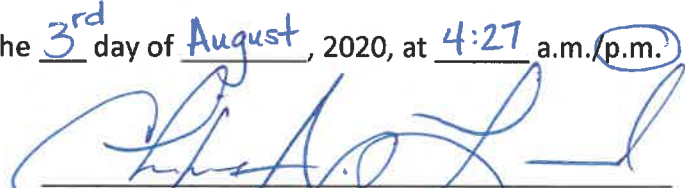
NOW, THEREFORE, I, Chokwe Antar Lumumba, Mayor of the City of Jackson, Mississippi, pursuant to the authority vested in me by Section 45-17-7(e) of the Mississippi

Code of 1972, as amended, and in the public interest and for the general welfare of the City of Jackson, do hereby issue this Third Amended Stay Safe Jackson Executive Order.

- 1. Incorporation and Adoption.** This Third Amended Stay Safe Jackson Executive Order incorporates and adopts the Second Amended Stay Safe Jackson Executive Order, effectuated on July 2, 2020, except only to the extent that the latter is superseded or amended by contrary provisions stated herein.
- 2. Gatherings.** Previous Executive Orders are amended, as follows: Social gatherings/activities shall be limited to a maximum of 10 participants indoor and a maximum of 20 participants outdoor. This limitation shall not apply to gatherings in facilities governed by other capacity limitations.
- 3. Bars.** Previous Executive Orders are amended, as follows: Any and all bars, nightclubs, lounges, taverns, pubs, breweries, distilleries, and wineries shall close, except to the extent that such establishments may only provide drive-thru, curbside, or delivery services for food as allowed by law, and drive-thru or curbside pick-up of alcoholic beverages, as allowed by local and state law, but with no on-site consumption of such beverages.
- 4. Restaurants.** Restaurants may continue to offer lawful sale of alcohol and in-house (indoor and outdoor) dining for food services pursuant to the limitations and applicable provisions in Section 9 of the Stay Safe Jackson Executive Order, Section 10 of the Amended Stay Safe Jackson Executive Order, and Section 2 of the Second Amended Stay Safe Jackson Executive Order.
- 5. Bar Tops and Bar Areas in Establishments.** Bar tops and bar areas in any establishment shall be closed, but bar beverages may be served at tables for on-site consumption. In such event, in-house customers must only be served via table services and may not order from bar top areas. Nothing in this Section shall be interpreted to prohibit employees from making drinks behind the bar top or to prohibit employees from collecting and distributing such drinks to patrons seated at tables or to prohibit employees from making lawful sale of alcoholic beverages in connection with a lawful drive-thru or curb side pick-up transaction.
- 6. Previous Orders superseded.** This Third Amended Stay Safe Jackson Executive Order, upon date of effectiveness, supersedes, only to the extent that it conflicts, and amends any previous Order which conflicts with the provisions of this Order.
- 7. Duration.** This Order shall be effective Tuesday, August 4, 2020 and remain in full force and effect through Tuesday, August 11, 2020, unless rescinded or superseded by another applicable Order. A Proclamation of Executive Order rescinding the Proclamation of Civil Emergency will automatically rescind this Order.
- 8. Savings Clause.** If any provision of this Order or its application to any person or circumstance is held by any court of competent jurisdiction to be invalid, 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.

- 9. Enforceability and Prosecution.** Violations of this 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, as well as Section 10 of the Second Amended Stay Safe Jackson Executive Order, effectuated on Thursday, July 2, 2020.
- 10. Publication.** This 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.

WITNESS MY HAND, this the 3rd day of August, 2020, at 4:27 a.m./p.m. (p.m.)



CHOKWE ANTAR LUMUMBA, MAYOR
CITY OF JACKSON, MISSISSIPPI



CITY CLERK