



EXECUTIVE ORDER 20-012

Based on guidance from the Office of the Governor, State of Mississippi, Executive Order 1463, issued March 24, 2020 the following Local Executive Order further supplements, defines, supersedes and/or amends the previous Local Executive Orders and Emergency Proclamation issued by the City of Tupelo pertaining to COVID-19. All prior Local Emergency Orders which do not conflict or which are not inconsistent with the Governor's Executive Order 1463 remain in full force and effect. We would commend Governor Reeves for issuing this guidance, attached hereto in full.

LOCAL SITUATION

Mississippi has seen the total of confirmed cases of COVID-19 rise to 377 today. Yesterday, these numbers were at 320. Three Mississippi deaths have been attributed to this virus. As more people are tested, please expect these numbers to rise. Please understand there is a lag time between testing and results. Due to testing supplies, most tests are only being given to those with symptoms associated with the illness. To underscore this lag time in testing and reporting, 14 people are hospitalized at the North Mississippi Medical Center. MSDH is reporting 14 cases in Lee County, but the hospital has confirmed an additional 18 patients at home being treated under self-isolation. The hospital is awaiting results on 113 tests, and Med Plus is awaiting over 200 test results. Med Plus has reported 3 confirmed positive results.

Please be aware that you may not have symptoms and still transmit the virus.

Members of our local medical community have warned that the only weapon we have is to avoid social contact and to stay at home. We must not only stop the transmission of this virus, but we must not let it get out of hand to the point it overwhelms our medical capabilities.

Please limit social contact and stay at home if at all possible.

PURPOSE OF LOCAL EXECUTIVE ORDER 20-012

The purpose of this Local Executive Order is to clarify any inconsistencies with previous Local Emergency Orders and the Governor’s Order. The Governor’s Executive Order is also reproduced below without formatting, but with comments in **bold** on exactly how each paragraph or sub-paragraph conforms, supplements, defines, supersedes and/or amends the previous Local Emergency Orders issued by the City of Tupelo. The Governor’s Executive Order 1463 is adopted by the City of Tupelo immediately as CITY OF TUPELO EXECUTIVE ORDER 20-012 pursuant to Miss. Code Anno. § 33-15-17 (d) (1972 as amended), and shall remain in full effect until reviewed, approved or disapproved at the first regular meeting following such Local Executive Order or at a special meeting legally called for such review. The City of Tupelo reserves its authority to respond to local conditions as necessary to protect the health, safety and welfare of its citizens.

GOVERNOR’S ORDER ANNOTATED

From the date of this Executive Order until April 17, 2020, Mississippi residents shall avoid social and other non-essential gatherings in groups of more than 10 people where the gatherings in a single space at the same time where individuals are in close proximity to each other. This does not apply to normal operations of locations like airports, medical and healthcare facilities, retail shopping including grocery and department stores, offices, factories and other manufacturing facilities or any Essential Business or Operation as determined by and identified below.

NO CHANGE IN LOCAL EMERGENCY ORDERS OTHER THAN EXTENDING EFFECT OF ORDERS UNTIL APRIL 17, 2020.

From the date of this Executive Order until April 17, 2020, restaurants, bars, or other dining establishments shall suspend dine-in services unless able to reduce capacity to allow no more than 10 people to be gathered in a single space at the same time where individuals are in seated or otherwise in close proximity to each other. However, the use of drive-thru, carryout, or delivery options is allowed and highly encouraged.

**CHANGE: SUPERSEDES LOCAL EXECUTIVE ORDER 2020-005:
ALLOWS RESTAURANTS, OR OTHER DINING ESTABLISHMENTS TO
OFFER DINE-IN SERVICES UNLESS UNABLE TO REDUCE CAPACITY
TO ALLOW NO MORE THAN 10 PEOPLE TO BE GATHERED IN A**

SINGLE SPACE AT THE SAME TIME WHERE INDIVIDUALS ARE IN SEATED OR OTHERWISE IN CLOSE PROXIMITY TO EACH OTHER.

NO CHANGE IN ALL OTHER LOCAL EMERGENCY ORDERS OTHER THAN EXTENDING EFFECT OF ORDERS UNTIL APRIL 17, 2020.

From the date of this Executive Order until April 17, 2020, persons shall not visit hospitals, nursing homes and retirement or long-term care facilities unless to provide critical assistance, to visit residents receiving imminent end-of-life care, or as otherwise directed by the healthcare facility, provided in the professional opinion of the supervising physician or other supervising healthcare professional at such facility that such visits can be accomplished without unreasonable risk to staff or other residents of such facilities. In lieu of in-person visits, electronic visits are encouraged.

NO CHANGE IN LOCAL EMERGENCY ORDERS OTHER THAN EXTENDING EFFECT OF ORDERS UNTIL APRIL 17, 2020.

Consistent with Executive Order No. 1458 providing that essential employees of governmental entities should work from home to the extent feasible in order to minimize the interaction and risk of possible transmission of COVID-19 between employees, it is also recommended and encouraged that all Mississippi businesses and non-profit entities likewise utilize, to the maximum extent possible, work from home or other telework procedures.

NO CHANGE IN LOCAL EMERGENCY ORDERS OR PRACTICE.

That, in response to the COVID-19 emergency, to promote and secure the safety and protection of Mississippi residents, and in consideration of the orders, rules, requests and other actions of federal authorities, it is vital to maintaining continuity of operations of critical infrastructure that Essential Businesses or Operations providing essential services or functions remain open, operational and continue to provide uninterrupted essential services and functions during this COVID-19 State of Emergency.

NO CHANGE IN LOCAL EMERGENCY ORDER 2020-008 OTHER THAN LISTING SOME BUSINESSES CLASSIFIED BY THE CITY OF TUPELO AS NON-ESSENTIAL FOLLOWING GUIDELINES ISSUED BY U.S. DEPARTMENT OF HOMELAND SECURITY, CYBERSECURITY & INFRASTRUCTURE SECURITY AGENCY (CISA) IN ITS "MEMORANDUM ON IDENTIFICATION OF ESSENTIAL CRITICAL

INFRASTRUCTURE WORKERS DURING COVID-19 RESPONSE"
<https://www.cisa.gov/identifving-critical-infrastructure-during-covid-19> , OR
ASSESSING AND IDENTIFYING ADDITIONAL LOCAL CRITICAL
INFRASTRUCTURE BUSINESSES AND WORKERS. DEVIATIONS
FROM LOCAL EMERGENCY ORDER 2020-008 WILL BE NOTED
SPECIFICALLY BELOW.

Accordingly:

Pursuant to Miss. Code. Ann. § 33-15-11 (c)(4) and § 33-15-31 any Essential Business or Operation providing essential services or functions may operate at such level as necessary to provide such essential services or functions and shall not be subject to any 10 person gathering limitation or any other limitation or restriction inconsistent with this Executive Order but shall take all reasonable measures to ensure compliance with the CDC and the Mississippi Department of Health recommendations and guidance to prevent the spread of COVID-19, including, but not limited to, social distancing, sending sick employees home and actively encouraging sick employees to stay home, separating and sending home employees who appear to have respiratory illness symptoms.

NO CHANGE IN LOCAL EMERGENCY ORDER 2020-008 OTHER THAN
LISTING SOME BUSINESSES CLASSIFIED BY THE CITY OF TUPELO
AS NON-ESSENTIAL FOLLOWING GUIDELINES ISSUED BY U.S.
DEPARTMENT OF HOMELAND SECURITY, CYBERSECURITY &
INFRASTRUCTURE SECURITY AGENCY (CISA) IN ITS
"MEMORANDUM ON IDENTIFICATION OF ESSENTIAL CRITICAL
INFRASTRUCTURE WORKERS DURING COVID-19 RESPONSE"
<https://www.cisa.gov/identifving-critical-infrastructure-during-covid-19> , OR
ASSESSING AND IDENTIFYING ADDITIONAL LOCAL CRITICAL
INFRASTRUCTURE BUSINESSES AND WORKERS. DEVIATIONS
FROM LOCAL EMERGENCY ORDER 2020-008 WILL BE NOTED
SPECIFICALLY BELOW.

Pursuant to Miss. Code. Ann. § 33-15-31(a), § 33-15-31(b), § 33-15-11(c)(1) & § 33-15-11(c)(4) any order, rule, regulation or action by any governing body, agency or political subdivision of the state that imposes any additional freedom of movement or social distancing limitations on Essential Business or Operation, restricts scope of services or hours of operation of any Essential Business or Operation, or which will or might in any way conflict with or impede the purpose

of this Executive Order is suspended and unenforceable during this COVID-19 State of Emergency. However, nothing in this Executive Order shall in any way alter or modify the authority of the Mississippi Emergency Management Agency, the Mississippi Department of Public Safety or of the State Department of Health and the State Health Officer.

NO CHANGE IN LOCAL EMERGENCY ORDER 2020-008 OR 2020-009 OTHER THAN LISTING SOME BUSINESSES CLASSIFIED BY THE CITY OF TUPELO AS NON-ESSENTIAL FOLLOWING GUIDELINES ISSUED BY U.S. DEPARTMENT OF HOMELAND SECURITY, CYBERSECURITY & INFRASTRUCTURE SECURITY AGENCY (CISA) IN ITS "MEMORANDUM ON IDENTIFICATION OF ESSENTIAL CRITICAL INFRASTRUCTURE WORKERS DURING COVID-19 RESPONSE" <https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19> , OR ASSESSING AND IDENTIFYING ADDITIONAL LOCAL CRITICAL INFRASTRUCTURE BUSINESSES AND WORKERS.

DEVIATIONS FROM LOCAL EMERGENCY ORDER 2020-008 WILL BE NOTED SPECIFICALLY BELOW.

For purposes of this Executive Order, the phrase "Essential Business or Operation" means:

Essential Government functions including public safety and first responders, law enforcement, fire prevention and response, courts and court personnel, military, emergency management personnel, corrections, probation and parole, child protection, child welfare, EMTs, 911 call center employees, all workers and vendors that support law enforcement and emergency management operations and services;

NO CHANGE IN LOCAL EMERGENCY ORDER 2020-008

Essential healthcare operations including hospitals/clinics, research and laboratory operations, nursing homes, residential health care facilities, congregate care facilities, assisted living facilities, elder care, medical wholesale and distribution, home health workers and aides, medical supply and equipment manufacturers and providers, medical waste disposal, hazardous waste disposal, other ancillary healthcare services;

NO CHANGE IN LOCAL EMERGENCY ORDER 2020-008

Essential infrastructure including utilities including power generation, nuclear facilities, utility poles and components, fuel and transmission, petroleum producers, suppliers and distributors, supply chain companies, telecommunications, electronic security and life safety services, wireless communication, communications sales and customer support, telecommunication and data centers, cybersecurity operations, flood control, operation of dams, aviation, airports, ports, roads and highways, mass transit, automotive sales and repair, vehicle rental services, taxi and network providers (such as Uber and Lyft), freight and passenger rail, pipelines, transportation infrastructure, public water and waste water, hazardous waste disposal, hotels and commercial lodging services;

NO CHANGE IN LOCAL EMERGENCY ORDER 2020-008

Manufacturing including food processing and production, pharmaceuticals, food additives, medical equipment, medical devices and supplies, technology, biotechnology, chemical products, telecommunications products, automotive production and suppliers, healthcare, energy, steel and steel products, fuel and petroleum exploration and production, lubricants, greases and engine oils, mining, national defense, sanitary and cleaning products, household products, personal care products, products used by any other Essential Business or Operation;

NO CHANGE IN LOCAL EMERGENCY ORDER 2020-008

ALL MANUFACTURING DEEMED ESSENTIAL UNDER LOCAL EMERGENCY ORDER 2020-008

Agriculture and farms including food cultivation, livestock, cattle, poultry and seafood operations, livestock auctions, feedlots, dealers and brokers of livestock, livestock transporters, farmer's markets, feed stores, repair of agricultural equipment, gas, diesel and petroleum suppliers, aquaculture, horticulture, chemicals including pesticides, herbicides and fertilizer, producers and distributors, forest products businesses, including those involved in forestry operations, logging, manufacture of lumber and paper products, meat processing facilities, rendering facilities and transporters, feed processing facilities, veterinary services;

NO CHANGE IN LOCAL EMERGENCY ORDER 2020-008

Essential retail including all supermarkets, food and beverage stores, food providers, convenience stores, pharmacies, hardware and building materials, gas stations, restaurants or bars (but only to the extent that (1) not more than 10 people are gathered in such restaurants or bars in a single space at the same time where

individuals are in seated or otherwise in close proximity to each other or (2) for curb side pick-up, carryout or delivery);

**CHANGE: SUPERSEDES LOCAL EXECUTIVE ORDER 2020-005:
ALLOWS RESTAURANTS, BARS, OR OTHER DINING
ESTABLISHMENTS TO OFFER DINE-IN SERVICES UNLESS UNABLE
TO REDUCE CAPACITY TO ALLOW NO MORE THAN 10 PEOPLE TO
BE GATHERED IN A SINGLE SPACE AT THE SAME TIME WHERE
INDIVIDUALS ARE IN SEATED OR OTHERWISE IN CLOSE
PROXIMITY TO EACH OTHER.**

NO CHANGE IN LOCAL EMERGENCY ORDER 2020-008.

**SEE BELOW FOR PROCEDURES FOR IDENTIFYING AS ESSENTIAL
RETAIL UNDER LOCAL EMERGENCY ORDER 2020-008**

Essential services including trash collection, mail and shipping services, home repair, automotive sales and repair, warehouse, distribution and fulfillment centers, laundromats/laundry service;

**CHANGE: AUTO SALES ADDED TO ESSENTIAL SERVICES UNDER
LOCAL EMERGENCY ORDER 2020-008**

**LOCAL EMERGENCY ORDER 2020-008 ALSO ALLOWS RESIDENTIAL
AND COMMERCIAL GROUNDS MAINTENANCE.**

**THESE BUSINESSES AND WORKERS SHALL CONTINUE TO TAKE
ALL REASONABLE MEASURES TO ENSURE COMPLIANCE WITH
THE CDC AND THE MISSISSIPPI DEPARTMENT OF HEALTH
RECOMMENDATIONS AND GUIDANCE TO PREVENT THE SPREAD
OF COVID-19, INCLUDING, BUT NOT LIMITED TO, SOCIAL
DISTANCING, SENDING SICK EMPLOYEES HOME AND ACTIVELY
ENCOURAGING SICK EMPLOYEES TO STAY HOME, SEPARATING
AND SENDING HOME EMPLOYEES WHO APPEAR TO HAVE
RESPIRATORY ILLNESS SYMPTOMS.**

Media including newspapers, digital news sites, television, radio and other media services;

NO CHANGE IN LOCAL EMERGENCY ORDER 2020-008

Education including educators supporting public and private K-12 schools, colleges and universities, educational institutions, for purposes of facilitating distance learning, performing critical research or other essential functions including public schools preparing and transporting free and reduced meals to eligible students within their respective districts (this Executive Order is consistent with and does not amend or supersede Executive Order No. 1460 regarding public schools);

NO CHANGE IN LOCAL EMERGENCY ORDER 2020-008

Financial services including banks and related financial institutions, insurance, payroll, accounting, processing financial transactions, services related to financial markets;

NO CHANGE IN LOCAL EMERGENCY ORDER 2020-008

Professional services including legal services, accounting services, insurance services, real estate services (including appraisal and title services);

CHANGE: PUBLIC INTERACTION, SETTINGS WITH MORE THAN 10 PERSONS GATHERING AND ANY OTHER LIMITATION OR RESTRICTION INCONSISTENT WITH THE GOVERNOR'S EXECUTIVE ORDER, ARE NOW ALLOWED BY THESE BUSINESSES.

OTHERWISE NO CHANGE IN LOCAL EMERGENCY ORDER 2020-008.

THESE BUSINESSES AND WORKERS SHALL CONTINUE TO TAKE ALL REASONABLE MEASURES TO ENSURE COMPLIANCE WITH THE CDC AND THE MISSISSIPPI DEPARTMENT OF HEALTH RECOMMENDATIONS AND GUIDANCE TO PREVENT THE SPREAD OF COVID-19, INCLUDING, BUT NOT LIMITED TO, SOCIAL DISTANCING, SENDING SICK EMPLOYEES HOME AND ACTIVELY ENCOURAGING SICK EMPLOYEES TO STAY HOME, SEPARATING AND SENDING HOME EMPLOYEES WHO APPEAR TO HAVE RESPIRATORY ILLNESS SYMPTOMS.

Providers of basic necessities to economically disadvantaged populations including businesses, religious and secular non-profit organizations, food banks, foster care, homeless shelters and congregate care facilities;

NO CHANGE IN LOCAL EMERGENCY ORDER 2020-008

Construction and construction related services including building and construction, lumber, building materials and hardware, electricians, plumbers, exterminators, cleaning and janitorial, HVACR and water heating industry, painting, moving and relocating services, other skilled trades, and other related construction firms and professionals for maintaining essential infrastructure;

NO CHANGE IN LOCAL EMERGENCY ORDER 2020-008

LOCAL EMERGENCY ORDER 2020-008 ALLOWS CONSTRUCTION AND REPAIR OF COMMERCIAL, RESIDENTIAL AND PUBLIC WORKS BUILDINGS AND PROJECTS.

Essential services necessary to maintain the safety, sanitation and essential operations of residences and essential businesses and essential business operations, including law enforcement, fire prevention and response, firearm and ammunition manufacturers and retailers, building code enforcement, security, emergency management and response, building cleaning including disinfection, automotive sales and repair, mortuaries and cemeteries;

CHANGE: ADDS ESSENTIAL SERVICES NECESSARY TO MAINTAIN THE SAFETY, SANITATION AND ESSENTIAL OPERATIONS OF RESIDENCES.

CHANGE: ADDS AUTOMOTIVE SALES.

THESE BUSINESSES AND WORKERS SHALL CONTINUE TO TAKE ALL REASONABLE MEASURES TO ENSURE COMPLIANCE WITH THE CDC AND THE MISSISSIPPI DEPARTMENT OF HEALTH RECOMMENDATIONS AND GUIDANCE TO PREVENT THE SPREAD OF COVID-19, INCLUDING, BUT NOT LIMITED TO, SOCIAL DISTANCING, SENDING SICK EMPLOYEES HOME AND ACTIVELY ENCOURAGING SICK EMPLOYEES TO STAY HOME, SEPARATING AND SENDING HOME EMPLOYEES WHO APPEAR TO HAVE RESPIRATORY ILLNESS SYMPTOMS.

Defense Industrial Base including employers and personnel who support the essential products and services required to meet national security commitments to the Federal Government and the U. S. Military, including personnel working for companies and their subcontractors, who perform under contract to the Department of Defense providing materials and services to the Department of Defense and

government-owned/contractor- operated and government-owned/government-operated facilities.

NO CHANGE IN LOCAL EMERGENCY ORDER 2020-008

Vendors that provide essential services or products, including logistics and technology support, child care programs and services, medical waste disposal, hazardous waste disposal, services needed to ensure the continuing operation of Essential Business or Operation, operation of government agencies, and to provide for the health, safety and welfare of the public;

NO CHANGE IN LOCAL EMERGENCY ORDER 2020-008

Religious entities including religious and faith-based facilities, entities and groups, religious gatherings provided that they adhere to the CDC and the Mississippi Department of Health recommendations and guidance to prevent the spread of COVID-19;

NO CHANGE IN LOCAL EMERGENCY ORDER 2020-008

Categories of workers and related industries identified by the U.S. Department of Homeland Security, Cybersecurity & Infrastructure Security Agency (CISA) in its "Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response" <https://www.cisa.gov/identifving-critical-infrastructure-during-covid-19> as it may be amended;

NO CHANGE IN LOCAL EMERGENCY ORDER 2020-008

THESE GUIDELINES WERE USED IN THE FORMULATION OF LOCAL EMERGENCY ORDER 2020-008 AND HAVE BEEN POSTED ON THE CITY'S WEBSITE.

<http://www.tupeloms.gov/>

Other categories as may be identified and deemed essential by the Mississippi Department of Health, the Mississippi Emergency Management Agency and/or other appropriate agency of the State of Mississippi.

NO CHANGE IN LOCAL EMERGENCY ORDER 2020-008.

**PROCEDURES FOR IDENTIFYING AS ESSENTIAL CRITICAL
INFRASTRUCTURE SECTOR BUSINESSES AND WORKERS AND NON-
ESSENTIAL BUSINESS AND WORKER EXEMPTIONS**

With the nature of any comprehensive list, every possibility cannot be covered. The City of Tupelo has established a procedure to identify essential businesses or workers if your activity is not covered by the Governor’s Executive Order or Local Emergency Order 2020-008.

<http://www.tupeloms.gov/>

Under the “COVID-19 Information” section, we have provided a link to fillable forms, “Essential Business Form” and “Exemption Waiver Form”.

We have processed scores of these requests and will endeavor to respond in a prompt manner.

Any person aggrieved may file an appeal before the city council by emailing missy.shelton@tupeloms.gov . During the pendency of your appeal, you may continue operations until city council action.

These businesses and workers shall continue to take all reasonable measures to ensure compliance with the CDC and the Mississippi Department of Health recommendations and guidance to prevent the spread of COVID-19, including, but not limited to, social distancing, sending sick employees home and actively encouraging sick employees to stay home, separating and sending home employees who appear to have respiratory illness symptoms.

REMINDER

LOCAL EMERGENCY ORDER 2020-009 continues in effect. You should remain at home to avoid being exposed to the virus and refrain from travel within the City of Tupelo except for travel to and from those workplaces and businesses deemed essential as identified in the Governor’s Executive Order 1463 and Local Emergency Order 2020-008, and of course for health care for yourself or family member or to tend to a family member.

This Executive Order 20-012, issued under the authority of the previous Declaration of Emergency of March 17, 2020, approved by Tupelo City Council and signed by Mayor Jason Shelton, shall remain in effect until reviewed or

approved or disapproved at the first regular meeting following the issuance of this Local Executive Order or at a special meeting legally called for such review. This Local Executive Order and all prior Local Emergency Orders ratified by the City Council not in conflict or inconsistent with Governor's Order 1463 remain in full force and effect unless changed until April 17, 2020.

So ordered, this the 25th day of March, 2020.



Jason L. Shelton, Mayor

ATTEST:



Kim Hanna, CFO/City Clerk