



# **CLAIBORNE COUNTY**

## **EXECUTIVE ORDER #11**

### **BACKGROUND**

WHEREAS, a state of emergency and catastrophic health emergency was proclaimed by Tate Reeves, the Governor of the State of Mississippi on March 14, 2020, and renewed on March 17, 2020, April 10, 2020, May 6, 2020, June 3, 2020, July 1, 2020, July 30, 2020, to control and prevent the spread of COVID-19 within the state, and the state of emergency and catastrophic health emergency still exists;

WHEREAS, the effects of COVID-19 require that local officials be vigilant in advising all individuals in Claiborne County, Mississippi of measures they can take to protect health, safety, and welfare;

WHEREAS, the currently known and available scientific evidence and best practices support continued limitations on large gatherings, increased use of face coverings, and continued social distancing to prevent exposures and transmissions, and reduce the threat to especially vulnerable populations, including older individuals and those with chronic health conditions;

WHEREAS, to reduce the threat to human health caused by transmission of COVID-19 and to protect and save lives, it is necessary and reasonable that individuals in Claiborne County continue to engage in social distancing, use of face coverings, and refrain from congregating in large groups;

WHEREAS, the U.S. Centers for Disease Control and Prevention ("CDC") has issued guidance and best practices regarding reopening;

WHEREAS, masks are encouraged at all times while in public or inside a public building or facility. All businesses should request a mask to be worn by everyone as a condition to enter and shall post such notice at every entrance.

WHEREAS, on July 10, 2020, Governor Reeves issued State Executive Order 1507 which renews the authority previously given to Claiborne County to continue to impose limitations on business and personal activities that were more restrictive than those permitted by State Executive Order 1491 if the political subdivision determines that it is necessary and reasonable to do so in order to prevent the spread of COVID-19; and

WHEREAS Claiborne County has determined that it is necessary and reasonable to continue to impose limitations on business and personal activities that are more restrictive in order to prevent the spread of COVID-19;

NOW, THEREFORE, BE IT ORDERED, PURSUANT TO THE AUTHORITY GRANTED IN GOVERNOR REEVES EXECUTIVE ORDER 1463 AND IN AN EFFORT TO PROTECT THE PUBLIC HEALTH, WELFARE, AND SAFETY, AND CONTROL AND PREVENT THE SPREAD OF COVID-19 WITHIN CLAIBORNE COUNTY, HEREBY ORDER:

1. **Administrative and Implementing Provisions.**

Claiborne County Proclamation dated July 10, 2020, as amended and restated by Claiborne County Executive Order dated September 8, 2020, as further amended and restated in its entirety as set forth herein.

2. **Face Coverings.**

a. **Definitions.**

- i. "Face Covering" means a covering that fully covers a person's nose and mouth and is secured to the person's head. The term "Face Covering" includes, without limitation, scarves, bandanas, and plastic full-face shields. The term excludes Medical-Grade Masks.
- ii. "Medical-Grade Mask" means an N95, KN95, surgical, or other mask that would be appropriate for a health care setting.
- iii. "Public Transportation" means shared-ride surface transportation services that are open to the general public within Claiborne County.

b. **Requirements.**

- i. Except as provided in paragraph 2.c below, all persons in the County over the age of two (2) years old are required to wear a Face Covering
  - (1) in or on any form of Public Transportation;
  - (2) indoors at any location where members of the public are generally permitted, including without limitation, Religious Facilities, Retail Establishments, Foodservice Establishments, Fitness Centers, Indoor Recreation Establishments, and Personal Services Establishments;
  - (3) outdoors and unable to consistently maintain at least six feet of distance from individuals who are not members of their household;
  - (4) obtaining healthcare services, including without limitation, in offices of physicians and dentists, hospitals, pharmacies, and laboratories; and
  - (5) engaged in work in any area where:
    - a. interaction with others is likely, including without limitation, in shared areas of commercial offices; or
    - b. food is prepared or packaged.
- ii. Single-use Face Coverings shall be properly discarded in trash receptacles. It is recommended that all reusable Face Coverings be cleaned frequently (at least once per day).

- iii. Wearing a Medical-Grade Mask satisfies any requirement in paragraph 2.b to wear a Face Covering, but all persons in Claiborne County are urged to reserve Medical-Grade Masks for use by health care workers and first responders.

c. Exceptions. Paragraph 2.b does not require persons to wear Face Coverings:

- i. if, due to a disability or medical condition, it would be unsafe for the person to do so;
- ii. to the extent wearing a Face Covering would impede communication by or with persons who have a hearing impairment or other disability, where the ability to see the mouth is essential for communication;
- iii. if wearing a Face Covering would subject the person to an unsafe working condition, as determined by federal, state, or local occupational safety regulators or workplace safety guidelines;
- iv. to the extent wearing a Face Covering would make it impossible to receive services requiring access to the face, mouth, or head, including without limitation, dental care, shaving, and facial treatments;
- v. while consuming food or beverages;
- vi. while swimming or engaging in other physical activities where the use of a Face Covering is likely to pose a safety risk.

3. General Operating Requirements.

- a. Unless explicitly stated in another provision on this Order, all businesses, organizations, establishments, and facilities that are permitted to operate under this Order shall, as a condition of their continued operation:
  - i. require employees and customers to maintain social distancing, whenever possible, as recommended by the CDC and the Mississippi Department of Health (“MDH”);
  - ii. utilize markings and signage to guide employees and customers;
  - iii. comply with the face covering requirements in paragraph 2.b;
  - iv. provide employees with guidance and training to reflect updated CDC guidelines for their workplace;
  - v. use CDC and Environmental Protection Agency (“EPA”) approved disinfectants to clean spaces daily; including use of disinfectants to wipe down high contact surfaces at least once every 2 hours while staff or customers are present (“high contact surfaces” are surfaces that will have human contact at least once an hour);
  - vi. require employees to wash their hands hourly; and
  - vii. follow, review, and implement new CDC, MDH, and Claiborne County Department of Health & Human Services (“DHHS”) guidelines as they are issued.
- b. All businesses, organizations, establishments, and facilities in Claiborne County shall comply with any directive or orders issued by the Local Health Officer,

pursuant to State Executive Orders 1478 (“Delegating Authority to Local Officials to Control and Close Unsafe Facilities”) and 1516 (“Amending and Restating the Order Allowing Reopening of Certain Businesses and Facilities Subject to Local Regulations and Generally Requiring Use of Face Coverings”), as may be amended from time to time.

- c. All businesses, organizations, establishments, and facilities that are permitted to open shall post signage indicating that they are in compliance with all provisions of paragraph 3.a of this Order.
- d. Unless explicitly stated to the contrary, the General Operating requirements apply to all provisions in this order.

#### 4. **Gatherings.**

- a. Unless explicitly stated in another paragraph of this Order:
  - i. Paragraph 1(c) of Executive Order 1492 is amended and superseded as follows: **Group Gatherings (Social Distancing IS NOT Possible):** Public and private social gatherings and recreational activities shall be limited to groups of no more than a 50% capacity in a single indoor space or groups of no more than a 75% capacity in an outdoor space where individuals are in close proximity (less than 6 feet) to each other.
  - ii. Social, community, recreational, and leisure gatherings may resume provided the following physical precautions are met and followed:
    - (1) limited to 1 person or household per 200 square ft. or a maximum of a 50% capacity, whichever number is lower; and
    - (2) the size of the location and venue must accommodate applicable social distancing for the number of attendees.
  - iii. **Group Gatherings (Social Distancing IS Possible):** Except as otherwise provided, public and private social gatherings and recreational activities shall be limited to groups of no more than 50% capacity in a single indoor space or groups of no more than a 75% capacity in an outdoor space where individuals are able to maintain a minimum of 6 feet separation.
    - (1) Public schools are to operate under the Mississippi State Department Of Education Guidelines without interference of the County Executive Order

#### 5. **Businesses, Organizations, Establishments and Facilities That May Be Open.**

- a. *Childcare.* Must follow any guidance issued by MDH and as amended from time to time.
- b. *Fitness Centers.* May open provided;

- i. limit 1 patron per 200 sq. ft. of indoor space;
- ii. facial masks are REQUIRED to be worn in the fitness center, however; when exercising the mask can be removed as long as there is ten feet of distance between individuals during exercise sessions (or six feet of distance with barriers).
- iii. follow the State's Best Practices for Fitness Centers, as amended from time to time.
- iv. Fitness Centers include, but are not limited to health clubs, gyms, training facilities, and other indoor physical activities.

c. *Foodservice Establishments.*

- i. Restaurants, bars, and other similar establishments that sell food or beverages for consumption on-premises in Claiborne County ("Restaurants and Bars"), and (b) social and fraternal clubs ("Social Clubs") with dining facilities may, to the extent permitted by applicable law:
  - (1) Must follow all provisions of the MDH's Directive and Order Regarding Food Service Establishments;
  - (2) Must follow the imposed curfew of 12:00 a.m. – 4:00 a.m.;  
and
  - (4) Must follow any guidelines issued by the Department of Health and Human Services.

d. *Personal Services.*

- i. Hair salons, barbershops, and establishments that provide waxing, threading, facial and other skin services, massage, and nail technician services ("Personal Services Establishments") may open, provided the following physical precautions are met and followed:
  - (1) all staff are required to wear gloves, and any other Personal Protective Equipment ("PPE") as appropriate to their workplace and provided service;
  - (2) limit of 1 customer for every 200 square ft. of service delivery space;
  - (3) limit of 1 customer in a waiting area at a time, other customers waiting for appointments must wait outside the Personal Services Establishments;
  - (4) follow the State's Best Practices for Personal Service Establishments as amended from time to time.

e. *Retail Establishments.* May open provided:

- i. limit 1 customer per 200 square ft. of in-store space; and
- ii. employees use any additional Personal Protective Equipment as appropriate to their workplace.

f. *Sports.*

- i. All sports are categorized by level of risk as detailed in the Mississippi Sports Commission Return to Play Report with the following exceptions:
    - (1) football is considered to be a high-risk sport;
  - ii. All sports participants, regardless of age must comply with the face covering requirement in paragraph 2.b, and the social distancing and hygiene requirements of paragraph 3.a.
  - iii. Rented sport equipment must be thoroughly cleaned and disinfected pursuant to CDC guidelines using EPA approved cleaners and disinfectants between usage.
  - iv. Sports played outside must follow outdoor gathering guidelines and size restrictions.
  - v. Sports played inside must follow the guidelines and size restrictions for fitness centers.
- g. *Youth Camp Programs.*
- i. Must follow all provisions in applicable directives and orders issued by the Mississippi Department of Health.

**6. Other Businesses, Organizations, Establishments and Facilities That May Be Open.**

- a. *Car Wash*
- b. *Farms.* For "pick-your-own" produce by members of the public.
- c. *Manufacturing.*
- d. *Office space.*
- e. *Outdoor recreation.*
  - i. parks for personal fitness and fitness classes and senior center;
  - ii. campgrounds;
  - iii. horse riding facilities
  - iv. mud pulls; and
  - v. playgrounds

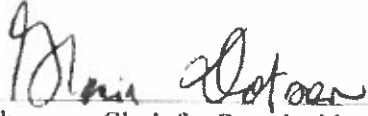
**7. Other Businesses, Organizations, Establishments, and Facilities Required to Close.**

- 8. This Order shall be enforced by any County department or agency that has authority over the subject matter of any particular provision and the Claiborne County Sheriff Department.
- 9. We hereby adopt by reference the following portions of State Executive Order 1480.

10. A person who knowingly and willfully violates this Order is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding one year or a fine not exceeding \$5,000 or both.
11. Violation of this Order will be subject to misdemeanor prosecution pursuant to 45-17-9 of the Mississippi Code of 1972, as amended.
12. This Local Order may be amended upon the approval of the Claiborne County Board of Supervisors.
13. If any provision of this Local Order or its application to any person, entity, or circumstance is held invalid by any court of competent jurisdiction, all other provisions or applications of the Order shall remain in effect to the extent possible without the invalid provision or application. To achieve this purpose, the provisions of this Local Order are severable.
14. Nothing in this Executive Order is intended to violate or interfere with any executive orders in the State of Mississippi.

This Local Order shall take effect August 2, 2021, and remain in effect until August 16, 2021.

ATTEST:



Chancery Clerk for Board of Supervisors



President, Board of Supervisors