



ERIC GARCETTI
MAYOR

Public Order Under City of Los Angeles Emergency Authority

Issue Date: January 7, 2022

Subject: SAFER L.A.

Since June 15, 2021, the rate of community transmission of COVID-19 here in Los Angeles has increased from low to high. On January 4, 2022, Los Angeles County reported 21,790 new cases. Since Thanksgiving Day, the County's test positivity rate and hospitalizations have steadily increased. As of December 28, 2021, Los Angeles County is reporting a 7-day daily average case rate of 150.4 per 100,000 people. These statistics indicate a continued and high risk of COVID-19 infection for those who are not or cannot be vaccinated against COVID-19. Based upon federal Centers for Disease Control and Prevention (CDC) indicators and thresholds, this means that community transmission within Los Angeles County is now considered High and highly likely to increase, as we are at a time when respiratory viruses, like influenza and SARS-CoV-2, have spread more easily.

On July 28, 2021, the CDC and the California Department of Public Health each issued new guidance validating the universal indoor masking requirements of this Order. The CDC's Interim Public Health Recommendations for Fully Vaccinated¹ People advises that "preliminary evidence suggests that fully vaccinated people who are infected with the Delta variant can spread the virus to others" and therefore recommends that fully vaccinated people wear a mask in public indoor settings in geographic areas of Substantial or High transmission. Moreover, on January 5, 2022, the State Public Health Officer required universal masking, irrespective of vaccination status, between December 15, 2021 and February 15, 2022, in public indoor settings throughout California. The State Public Health Officer explained that the universal indoor masking requirement "brings an added layer of mitigation as the Omicron variant, a Variant of Concern as labeled by the World Health Organization, is detected across California, the

¹ People are considered "fully vaccinated" against COVID-19 two weeks or more after they have received the second dose in a 2-dose series (e.g., Pfizer-BioNTech or Moderna) or 2 weeks or more after they have received a single-dose vaccine (e.g., Johnson and Johnson [J&J]/Janssen).

United States, and the world and is likely to spread more easily than the original SARS-CoV-2 virus and the Delta variant. Additionally, this new measure brings additional protection to individuals, families, and communities during the holidays when more travel occurs, and time is spent indoors.”

Here in Los Angeles, COVID-19 remains a concern to public health. Even though more people in the County are vaccinated, there are still millions of people in the County who are not yet fully vaccinated, including children under 5 years old, who are not currently eligible, and people who are immunocompromised and may be vulnerable to infection and disease. Most COVID-19 infections are spread by people with no or mild symptoms. Furthermore, the Delta and Omicron variants spread more easily. Currently, the Delta variant is predominant in Los Angeles County. However, Los Angeles County is currently experiencing drastic increases in COVID-19 cases due to the transmissibility of the Omicron variant. In the absence of physical distancing requirements for the public and capacity limits for indoor and outdoor settings, unvaccinated and partially vaccinated persons are more likely to get infected and spread the virus, which is transmitted through the air and concentrates in indoor settings. Additionally, we continue to see increases in COVID-19 infections among fully vaccinated persons, albeit at a significantly lower rate, than those among persons who are not fully vaccinated.

The best way to reduce the current level of community transmission and to prevent future surges is for everyone who is eligible, including those who have recovered from COVID-19, to get fully vaccinated as soon as possible. And all persons who are fully vaccinated should also receive a booster dose of the COVID-19 vaccine as soon as they are eligible, since studies show that the protection from the primary COVID-19 vaccination may decrease over time. With an increased immune response, people should have improved protection against getting infected with and seriously ill from COVID-19, including the variants.

In order to continue to protect the community from COVID-19, in particular for those who are not fully vaccinated and fully vaccinated but immunocompromised, this Order aligns with the County of Los Angeles Department of Public (LACDPH) Health Officer Order, dated January 5, 2022, and mainly aligns with the State Public Health Officer Orders, dated June 11, 2021, December 13 & 31, 2021. Further, this Order incorporates by reference the July 26, 2021 State Public Health Officer Order, which requires specific transmission prevention measures to be taken by Acute Health Care and Long-Term settings, High-Risk Congregate settings, and Other Health Care settings.

The primary intent of this Order is to help slow and decrease the High level of community transmission in Los Angeles County, to increase vaccination rates, and to align with updated County and State requirements and recommendations.

Under the provisions of Section 231(i) of the Los Angeles City Charter and Chapter 3, Section 8.27 of the Los Angeles Administrative Code, I hereby declare that the Safer L.A. Order, dated December 21, 2021, is withdrawn and superseded by this Order,

which is necessary for the protection of life and property in the City of Los Angeles and is effective on Friday, January 7, 2022 at 11:59 PM:

1. All persons living within the City of Los Angeles should continue to always practice required and recommended COVID-19 infection control measures at all times and when among other persons when in community, work, social or school settings, especially when multiple unvaccinated persons from different households may be present and in close contact with each other, especially when in indoor or crowded outdoor settings.

All persons in the general public must comply with isolation and quarantine requirements provided in the Health Officer Public Health Emergency [Isolation Order](#) and [Quarantine Order](#). Those requirements include the following:

- a. **Isolation:** All persons who test positive for COVID-19, regardless of vaccination status, previous infection, or lack of symptoms, must self-isolate for at least 5 days. Persons may only end their self-isolation after Day 5 if a) they are asymptomatic or are fever free and their symptoms are improving and b) they take a diagnostic specimen² collected on Day 5 or later and test negative. If unable to test or they choose not to test, and symptoms are not present or are resolving, isolation can end after day 10. Wear a well-fitting mask around others, indoors and outdoors, for a total of 10 days. Adults should wear a well-fitting medical grade mask (surgical or respirator). Children should wear a well-fitting, non-cloth mask of multiple layers of non-woven material with a nose wire.

- b. **Quarantine:** All unvaccinated³ persons or fully vaccinated persons who are eligible for a booster⁴ but have not yet received their booster dose, who are close contacts of a COVID-19 case, must quarantine for at least 5 days after their last contact with a person who has COVID-19. Such persons should test immediately and, if negative, should test again on Day 5 after their last exposure. Persons may only end their quarantine period after day 5 if a) they are asymptomatic and b) they take a diagnostic specimen collected on day 5 or later and test negative. If unable to test or they choose not to test, and symptoms are not present, quarantine can end after day 10. Wear a well-fitting mask while around others, indoors and outdoors, for a total of 10 days. Adults should wear a well-fitting, medical grade mask (surgical or respirator). Children should wear a well-fitting, non-cloth mask of multiple layers of non-woven material with a nose wire.

If symptoms occur, individuals should immediately isolate and test as soon as possible (do not wait until 5 days after exposure to retest if symptoms develop

² An antigen test, nucleic acid amplification test (NAAT) or LAMP test are acceptable; however, it is recommended that persons use an antigen test for ending isolation. Exposed persons who were infected with SARS-CoV-2 within 90 days prior to their current exposure should also use an antigen test.

³ Includes persons previously infected with SARS-CoV-2, including within the last 90 days.

⁴ Same as footnote 3.

earlier) and, if positive, self-isolate as described above.

- c. Individuals who have received their COVID-19 vaccine booster or are fully vaccinated but not yet eligible for a booster do not need to quarantine following an COVID-19 exposure. Such persons should test immediately, and if negative, should test again on Day 5 after your last contact with a person who has COVID-19. Further, they must wear a well-fitting medical grade mask (surgical or respirator) while around others, indoors and outdoors, for 10 days after the exposure. If symptoms occur, individuals should immediately isolate and test as soon as possible (do not wait until 5 days after exposure to retest if symptoms develop earlier) and, if positive, continue to self-isolate as described above.
- d. In establishments and settings with active outbreaks, quarantine and isolation may be extended for additional days by County Public Health outbreak investigators to help lower the risk of ongoing transmission at the site.

2. Face Masks

All individuals must follow the requirements included in this Order, the LACDPH Health Officer Order (dated January 5, 2022) and the July 28, 2021 and December 13, 2021 Guidance for the Use of Face Coverings issued by the California Department of Public Health. These requirements are aligned with the July 28, 2021 recommendations issued by the CDC. The CDC recommendations provide information about both indoor and higher risk settings where masks are required or recommended to prevent transmission to:

- Persons with a higher risk of infection (e.g., unvaccinated or immunocompromised persons),
- Persons with prolonged, cumulative exposures (e.g., workers), or
- Persons whose vaccination status is unknown.

When people wear a mask correctly, they protect others as well as themselves. Consistent and correct mask use is especially important indoors and outdoors when in close contact with (less than six feet from) others who are not fully vaccinated against COVID-19 or whose vaccination status is unknown.

- a. Masks are required to be worn by everyone, 2 years of age or older, regardless of COVID-19 vaccination status, in the following settings:
 - i. On public transit (examples: airplanes, ships, ferries, trains, subways, buses, taxis, and ride-shares),
 - ii. In transportation hubs (examples: airport, bus terminal, marina, train station, seaport or other port, subway station, or any other area that provides transportation),

- iii. Indoors in K-12 schools, childcare and other youth settings (See, [Appendix T1](#) for recent updates to K-12 School masking requirements, attached to the LACDPH Health Officer Order dated January 5, 2022),
 - iv. Healthcare settings (including long-term care facilities),
 - v. State and local correctional facilities and detention centers,
 - vi. Homeless shelters, emergency shelters, and cooling centers,
 - vii. All indoor public settings, venues, gatherings, and public and private businesses (some examples: offices, manufacturing, warehouses, retail, food and beverage services, theaters, family entertainment centers, meetings, and state and local government offices serving the public, Indoor Mega Events, among others), and
 - viii. Outdoor Mega Events.
- b. Recommendation for higher level of protection: In indoor public and private settings where there is close contact with other people who may not be fully vaccinated, individuals should consider wearing a higher level of protection, such as wearing two masks (“double masking”) or wearing a respirator (e.g., KN95 or N95). This is particularly important if an individual is not fully vaccinated and is in an indoor or crowded outdoor setting.
- c. Individuals, businesses, venue operators or hosts of public indoor settings, venues, gatherings, businesses and Outdoor Mega Events must:
- i. Require all patrons, customers and guests to wear masks when inside at all indoor settings and at Outdoor Mega Events, regardless of their vaccination status; and
 - ii. Post clearly visible and easy to read signage, with or without having an employee present, at all entry points for indoor and outdoor settings to communicate the masking requirements for patrons, customers and guests.
- d. For clarity, patrons, customers or guests at public indoor settings, venues, gatherings, public and private businesses, and Outdoor Mega Events are required to wear a face mask except while:
- i. Actively eating or drinking, which is the limited time during which the mask can be removed briefly to eat or drink, after which it must be immediately put back on. Patrons, customers or guests must be seated at a table or positioned at a stationary counter, ticketed seat, or place while actively eating or drinking.

1. Except, all persons must wear masks at all times while indoors at Cardrooms, except when actively consuming food and beverages in a designated dining area.
 2. Further, it is a strong recommendation that at Mega Events, Performance Venues, Movie Theatres and Entertainment Venues, food and drink only be consumed, where possible, in designated dining areas. In addition, Mega Events, Performance Venues, Movie Theatres and Entertainment Venues are responsible for messaging, signage, and compliance with masking requirements unless spectators/customers are actively eating or drinking.
 - ii. Showering or engaging in personal hygiene or a personal care service that requires the removal of the face mask, and
 - iii. Alone in a separate room, office or interior space.
- e. Special considerations are made for people with communication difficulties or certain disabilities. Clear masks or cloth masks with a clear plastic panel that [fit well](#) are an alternative type of mask for people who interact with: people who are deaf or hard of hearing, children or students learning to read, people learning a new language, and people with disabilities.
 - f. All businesses, venue operators or hosts must implement measures to clearly communicate to non-employees the masking requirements on their premises.
 - g. No person can be prevented from wearing a mask as a condition of participation in an activity or entry into a business.
 - h. The categories of persons who are exempt from mask requirements, remain unchanged at this time and can be found at: <http://publichealth.lacounty.gov/acd/ncorona2019/masks/#notwear>.
 - i. In workplaces, certain employees may be exempt from wearing a mask when performing specific tasks which cannot feasibly be performed while wearing a mask. This exception is limited to the period of time in which such tasks are actually being performed. Workers who cannot feasibly wear a mask while performing their work, and who are either unvaccinated or fully vaccinated and eligible for a dose of COVID-19 vaccine but have not yet received it, must be tested for COVID-19 at least twice per week. Fully vaccinated persons who cannot feasibly perform their job while wearing a mask, and who have received their booster dose of COVID-19 vaccine or who are not yet eligible for a booster should test at least once per week.

In workplaces, most employers and businesses are subject to the Cal/OSHA [COVID-19 Emergency Temporary Standards \(ETS\)](#) and some to the [Cal/OSHA Aerosol Transmissible Diseases Standards](#), and should consult those regulations for additional applicable requirements. The ETS allow local health jurisdictions to require more protective mandates. This Order, which aligns with the LACDPH Health Officer Order (dated January 5, 2022), and which requires masking of all individuals at indoor public settings and businesses, and Outdoor Mega Events, regardless of vaccination status, is such a mandate in Los Angeles County, and overrides the more permissive ETS regarding employee⁵ masking.

- j. All employers and businesses subject to Cal/OSHA must review and comply with the active Cal/OSHA COVID-19 Prevention Emergency Temporary Standards (ETS). As approved and effective, the full text of the COVID-19 Prevention emergency standards will be listed under [Title 8, Subchapter 7, sections 3205-3205.4](#) of the California Code of Regulations. All businesses or employers with independent contractors should also review the State Labor Commissioner's Office webpage entitled, "[Independent contractor versus employee.](#)" which discusses the "employment status" of persons hired as independent contractors, to ensure correct application of the ETS. As soon as possible, but no later than January 17, 2022, employers are required to provide their employees, who work indoors and in close contact with other workers or the public, a well-fitting medical grade mask, surgical mask or higher-level respirator, such as an N95 filtering face piece respirator or KN95. Employers shall require these employees to wear such face coverings at all times while indoors at the worksite or facility.

3. Mandatory Reporting by Businesses and Governmental Entities

Persons and businesses within the County of Los Angeles Public Health Jurisdiction are required to follow the COVID-19 infection control protocols and guidance provided by the LACDPH regarding isolation of persons confirmed or suspected to be infected with the virus that causes COVID-19 disease or quarantine of those exposed to and at risk of infection from COVID-19. In instances where the County has not provided a specific guidance or protocol, specific guidance or protocols established by the State Public Health Officer shall control.

- a. In the event that an owner, manager, or operator of any business knows of three (3) or more cases of COVID-19 among their employees, assigned or contracted workers or volunteers, within a span of 14 days, the employer must report this outbreak to the Los Angeles County Department of Public Health at (888) 397-3993 or (213) 240-7821, or online at www.redcap.link/covidreport.
- b. In the event that an owner, manager, or operator of any business is informed that one or more employees, assigned or contracted workers, or volunteers of the

⁵ Some independent contractors are considered as employees under the State Labor Code. For more details, check the California Department of Industrial Relations' [Independent contractor versus employee](#) webpage.

business has tested positive for, or has symptoms consistent with COVID-19 (case), the employer must have a protocol to require the case(s) to isolate themselves at home and require the immediate self-quarantine of all employees that had a workplace exposure to the case(s).

4. LACDPH Best Practice Guidance.

- a. All individuals and Businesses are strongly urged to follow the LACDPH Best Practice Guidance, containing health and safety recommendations for COVID-19.
- b. Considerations for Persons at Higher Risk for Negative Health Outcomes: People at risk for severe illness or death from with COVID-19 - such as unvaccinated older adults and unvaccinated individuals with health risks - and members of their household, should defer participating in activities with other people outside their household where taking protective measures, including wearing face masks and social distancing, may not occur or will be difficult, especially indoors or in crowded spaces. For those who are not yet fully vaccinated, staying home or choosing outdoor activities as much as possible with physical distancing from other households whose vaccination status is unknown is the best way to prevent the risk of COVID-19 transmission.
- c. Encourage Activities that Can Occur Outdoors. All Businesses and governmental entities are urged to consider moving operations or activities outdoors, where feasible and to the extent allowed by local law and permitting requirements, because there is generally less risk of COVID-19 transmission outdoors as opposed to indoors.
- d. Ventilation Guidelines. All Businesses and governmental entities with indoor operations are urged to review the Ventilation Guidelines and implement ventilation strategies for indoor operations as feasible. See California Department of Public Health [Interim Guidance for Ventilation, Filtration and Air Quality in Indoor Environments](#) for detailed information. Nothing in this Order limits any ventilation requirements that apply to particular settings under federal, state, or local law.
- e. High-Risk Health Care and Congregate Settings. This Order incorporates by reference, the State Public Health Officer Order of July 26, 2021, which requires additional statewide facility-directed measures to protect particularly vulnerable populations. The Order is found here: [State Public Health Officer Order of July 26, 2021](#).

5. Sectors that Continue to Require Additional Risk Reduction Measures.

The following sectors serve persons and populations that have lower rates of vaccination, who are at higher risk of being infected, or who are not yet eligible to be

vaccinated. As such, these sectors continue to require additional risk reduction measures and must operate subject to the following conditions listed below and those specified in the County sector-specific reopening protocol(s) located at: <http://publichealth.lacounty.gov/media/Coronavirus/index.htm>:

- a. **Day camps.** Day camp owners and operators must implement and post the required LACDPH Reopening Protocol for Day Camps, attached to the LACDPH Health Officer Order (dated January 5, 2022) as [Appendix K](#).
- b. **Schools (K-12) and School Districts.** All public and private schools (K-12) and school districts within the County of Los Angeles may open for in-person classes. Educational facilities serving students at any grade level must prepare, implement and post the required LACDPH Reopening Protocols for K-12 Schools, attached to the LACDPH Health Officer Order (dated January 5, 2022) at [Appendix T1](#), and must follow the Protocol for COVID-19 Exposure Management Plan in K-12 Schools, attached to the LACDPH Health Officer Order (dated January 5, 2022) as [Appendix T2](#).
- c. **Mega Events (Outdoor and Indoor).** Beginning January 15, 2022, the attendance thresholds for Mega Events are lowered from 1,000 to 500 indoor attendees, and from 10,000 to 5,000 outdoor attendees. Mega Events include conventions, conferences, expos, concerts, shows, nightclubs, sporting events, live events and entertainment, fairs, festivals, parades, theme parks, amusement parks, water parks, large private events or gatherings, marathons or endurance races, and car shows. Mega Events may have either assigned or unassigned seating, and may be either general admission or gated, ticketed and permitted events. These events are considered higher risk for COVID-19 transmission.
 1. **Indoor Mega Events:** Indoor Mega Events remain open to the public. In addition to the public health recommendations, Indoor Mega Event operators must verify the full vaccination status⁶ or pre-entry negative COVID-19 viral test⁷ result of all attendees ages 2 and older. For those attendees who cannot provide proof of full vaccination, pre-entry COVID-19 testing must be conducted within one day for antigen tests and within two days for PCR tests. Attendees must wear a face covering while

⁶ The following are acceptable as proof of full vaccination status:

- 1) A photo identification of the attendee and
- 2) Their vaccination card (which includes name of person vaccinated, type of COVID-19 vaccine provided and date last dose administered) OR A photo of a vaccination card as a separate document OR A photo of the attendee's vaccine card stored on a phone or electronic device OR Documentation of the person's full vaccination against COVID-19 from a healthcare provider.

⁷ Pre-entry negative COVID-19 viral testing is testing that must be conducted before entry into the event or venue (both PCR and antigen are acceptable). Results of the test must be provided to the operator prior to entry into the event or venue. The following is required as acceptable as proof of a negative COVID-19 viral test result:

- 1) A photo identification of the attendee (for attendees 18 years of age and older) and
- 2) A printed document from the test provider or laboratory OR an email or text message displayed on a phone from the test provider or laboratory. The test result information needs to include the person's name, date of test, type of test performed, and negative test result. To be considered a valid pre-entry negative COVID-19 viral test result that permits entry into the event or venue, an antigen test must be conducted within one day and a PCR test must be conducted within two days prior to event entry.

indoors at an Indoor Mega Event. Operators are required to cross-check proof of full vaccination or negative COVID-19 viral test result against a photo identification for all attendees who are 18 years of age or older. Indoor Mega Event operators must prominently place information on all communications, including reservation and ticketing systems, to ensure guests are aware of the proof of pre-entry negative testing or full vaccination status, including masking requirements and acceptable modes of verification. Self-attestation may not be used as a method to verify an attendee's status as fully vaccinated or as proof of a negative COVID-19 test result.

2. **Outdoor Mega Events:** Outdoor Mega Events remain open to the public. Outdoor Mega Event operators of events or venues that are ticketed or held in a defined space with controlled points of entry must verify the full vaccination status (see footnote 6) or pre-entry negative COVID-19 viral test (see footnote 7) result of all attendees, ages 5 and older, prior to entry to the event. For those attendees who cannot provide proof of full vaccination, pre-entry COVID-19 testing must be conducted within one day for antigen tests and within two days for PCR tests. All attendees must wear face masks at all times, except when actively eating or drinking. Outdoor Mega Event operators must prominently place information on all communications, including reservation and ticketing systems, to ensure guests are aware of both the LACDPH Health Officer's Order that all persons must wear a face mask while in attendance and the County Health Officer requirement that all attendees, ages 5 and older, either be fully vaccinated against COVID-19 or obtain a negative COVID-19 viral test prior to attending the event. Operators are required to cross-check proof of full vaccination or negative COVID-19 viral test result against a photo identification for all attendees who are 18 years of age or older. Operators are to make face masks available for all attendees.
3. **Additional Recommendations for Both Outdoor and Indoor Mega Events:** Mega Event operators are encouraged to follow these additional recommendations:
 1. Assign staff to remind all guests to wear face masks while on the premises or location.
 2. Encourage everyone to get vaccinated and receive a COVID-19 booster when eligible.
 3. Facilitate increased ventilation of indoor spaces (i.e., open all windows and doors to increase natural air flow), following California Department of Public Health [Interim Guidance for Ventilation, Filtration and Air Quality in Indoor Environments](#).
 4. Encourage everyone to sign up for [CA Notify](#) as an added layer of protection for themselves and the community to receive alerts when

they have been in close contact with someone who tests positive for COVID-19.

5. Convey the risk of attending large crowded events where the vaccine status of other attendees may be unknown to the individuals.
6. Convey the risk of attending large crowded events for populations that may not currently be eligible for vaccination or may be immunocompromised and whose vaccine protection may be incomplete.
7. Encourage all venues along any parade or event route to provide outdoor spaces for eating/drinking/congregating to reduce the risk of transmission in indoor settings.

- d. **Overnight Organized/ Children's Camps.** An organized camp is a site with program and facilities established for the primary purpose of providing an overnight outdoor group living experience for recreational or other purposes for five days or more during one or more seasons of the year. A Notice of Intent to Operate must be submitted by the Camp operator to the Environmental Health Division at Communityhealth@ph.lacounty.gov prior to operation. The owner or operator of an Overnight Organized/Children's Camp must prepare, implement and post the required LACDPH Protocols for Overnight Organized / Children's Camps, attached to the LACDPH Health Officer Order (dated January 5, 2022 as [Appendix K-1](#).
- e. **Organized Youth Sports Activities.** Organized youth sports include all school (TK-12 Grades) and community-sponsored programs and recreational or athletic activities and privately organized clubs and leagues. Organized Youth Sport Protocols do not apply to collegiate or professional sports. The Protocol provides direction on outdoor and indoor youth sports activities to support an environment that presents less risk for participants of these sports. The organizers and operators of Organized Youth Sport Activities must review, implement and post the required LACDPH Protocol for Organized Youth Sports, effective September 1, 2021, attached to the LACDPH Health Officer Order (dated January 5, 2022) as [Appendix S](#).
- f. **Bars, Breweries, Wineries and Distilleries.** Effective October 7, 2021, bars that have a low-risk food facility public health permit and breweries, wineries and distilleries with a #1, #2, #4, #23 and/or #74 state alcohol license that do not possess or that are not required to have a public health permit to operate must require patrons, who are 12 years of age or older, to provide proof of their COVID-19 vaccination status for entry. Between October 7 and November 3, 2021, all patrons must provide proof that they have received at least one dose of COVID-19 vaccination for entry into the facility to obtain indoor service at a bar, brewery, winery, or distillery. Beginning November 4, 2021, all bars, breweries, wineries and distilleries must require patrons, who are 12 years of age or older, to provide proof of full vaccination against COVID-19 for entry into the facility to

obtain indoor service. Patrons who do not provide proof of vaccination against COVID-19, as specified, may be served in and use the outdoor portions of the facility, where the risk of exposure to the virus that causes COVID-19 is less likely when compared to being indoors. See Section 5 paragraph (i) below for further clarification. Bars, breweries, wineries and distilleries must comply with the [Guidance for Verifying Proof of COVID-19 Vaccination](#) and [Guidance for Verifying Proof of a Negative COVID-19 Test](#) attached to this Order. In addition, by November 4, 2021, all on-site employees must provide their employer with proof of full vaccination against COVID-19.⁸

- g. Nightclubs and Lounges.** Effective October 7, 2021, nightclubs and lounges⁹ that are open only to persons 18 years of age or older, must require patrons and on-site personnel to provide proof of their COVID-19 vaccination status for entry. Between October 7 and November 3, 2021, patrons must provide proof they have received at least one dose of COVID-19 vaccination for entry into the facility to obtain indoor service at a nightclub or lounge. Beginning November 4, 2021, all nightclubs and lounges must require patrons to provide proof of full vaccination for entry into the facility to obtain indoor service. Patrons who do not provide proof of full vaccination against COVID-19 may be served in outdoor portions of the facility, where the risk of exposure to COVID-19 is less likely when compared to indoors. Nightclubs and lounges must comply with the [Guidance for Verifying Proof of COVID-19 Vaccination](#) and [Guidance for Verifying Proof of a Negative COVID-19 Test](#) attached to this Order. In addition, by November 4, 2021, all on-site employees must provide their employer with proof of full vaccination against COVID-19 (see footnote 8).
- h. Restaurants.** These indoor venues serve food or drink indoors and are required to maintain a valid public health permit to operate. Due to the increased risk of transmission at places where persons are indoors and unmasked, the City of Los

⁸ On-site employees of the bars, breweries, wineries, distilleries, nightclubs and lounges may be exempt from the vaccination requirements only upon providing their employer, a declination form, signed by the individual stating either of the following: (1) the worker is declining vaccination based on sincerely held religious beliefs, or (2) the individual is excused from receiving any COVID-19 vaccine due to Qualifying Medical Reasons.

- a. To be eligible for a Qualified Medical Reasons exemption the individual must also provide to their employer a written statement signed by a physician, nurse practitioner, or other licensed medical professional practicing under the license of a physician stating that the individual qualifies for the exemption (but the statement should not describe the underlying medical condition or disability) and indicating the probable duration of the worker's inability to receive the vaccine (or if the duration is unknown or permanent, so indicate). See the most updated version of the [CDC's Interim Clinical Considerations for Use of COVID-19 Vaccines guidance](#).
- b. If an operator of a bar, brewery, winery, distillery, nightclub or lounge deems its on-site employee to have met the requirements of an exemption, the unvaccinated exempt employee must meet the following requirements when entering or working in such facility:
1. Test for COVID-19 at least once per week with either polymerase chain reaction (PCR) or antigen test that either has Emergency Use Authorization (EUA) by the U.S. Food and Drug Administration or be operating per the Laboratory Developed Test requirements by the U.S. Centers for Medicare and Medicaid Services.
 2. Wear a surgical mask or higher-level respirator approved by the National Institute of Occupational Safety and Health (NIOSH), such as an N95 filtering facepiece respirator, at all times while in the bar, brewery, winery, distillery, nightclub or lounge.

⁹ Nightclub means a commercial establishment dispensing beverages for consumption on the premises and in which dancing is permitted or entertainment is provided, and/or has as its primary source of revenue: (a) the sale of alcohol for consumption on the premises, (b) cover charges, or (c) both. A lounge is defined as a business that operates primarily for the preparation, sale, and service of beer, wine, or spirits. Minors are not allowed in a lounge.

Angeles and the County Health Officer strongly recommend that the operators of these venues reserve and prioritize indoor seating and service for patrons who are fully vaccinated against COVID-19. They should verify the full vaccination status of all patrons, 12 years of age or older, who will be seated indoors for food or beverage service. Patrons who cannot provide proof of full vaccination against COVID-19 should be served in outdoor portions of the facility, where the risk of exposure to the virus that causes COVID-19 is less likely when compared to being indoors. See Section 5 paragraph (i) below for further clarification.

- i. For clarity, individuals who do not provide proof of partial or full vaccination at bars, breweries, wineries, distilleries, nightclubs and lounges may use the outdoor portions of the facility, but may not remain inside the facility except as solely provided in the subsections below:

1. The individual, who is wearing a well-fitted mask, may enter the indoor portion of the facility as part of their employment to make a delivery or pick-up, provide a service or repair to the facility, or for an emergency or regulatory purpose.
2. The individual, who is wearing a well-fitted mask, may enter the indoor portion of the facility to get to the outdoor portion of the facility or to use the restroom.
3. The individual, who is wearing a well-fitted mask, may enter the indoor portion of the facility to order, pick-up, or pay for food or drink “to go.”

- j. **Cardrooms.** Cardroom operators may only allow indoor dining and/or drinking within designated areas of the facility only. Food and beverages may not be consumed outside of those areas or while patrons are playing or gaming within the facility. Patrons must wear masks indoors at all times while not actively eating or drinking in a designated indoor dining area.

6. If traveling, all individuals should follow all LACDPH and CDC travel guidance located at: <http://publichealth.lacounty.gov/media/Coronavirus/traveladvisory.htm> and <https://www.cdc.gov/coronavirus/2019-ncov/travelers/index.html>.

7. To the extent that this Order is in conflict with earlier Orders, this Order shall supersede the others.

8. Failure to comply with this Order shall constitute a misdemeanor subject to fines and imprisonment. I hereby urge the Los Angeles Police Department and the City Attorney to vigorously enforce this Order via Sections 8.77 and 8.78 of the Los Angeles Administrative Code.

9. Business owners and operators are authorized to refuse service to any individual who fails to comply with this Order.

10. Because guidance may change, the owner, manager, or operator of any facility that is subject to this Order is encouraged to consult the Los Angeles County Department of Public Health's website (www.publichealth.lacounty.gov) daily to identify any modifications to the LACDPH Order (dated January 5, 2022) and the Best Practice Guidance.

11. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision shall not affect the validity of the remaining portions or applications of this Order.

This Order shall be in place during the local emergency period, and it may be amended or rescinded as warranted according to local public health conditions.



Eric Garcetti, MAYOR

Dated: January 7, 2022 at Los Angeles, California

Time: 1:00p.m.

Filed with the City Clerk

Date: _____

Time: _____

By: _____