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MAYOR

## **Public Order Under City of Los Angeles Emergency Authority**

**Issue Date: February 24, 2022**

**Subject: SAFER L.A.**

Based on the federal [Centers for Disease Control and Prevention \(CDC\) indicators](#), as of February 22, 2022 the County of Los Angeles had 133.27 new cases of COVID-19 per 100,000 persons in the past 7 days. According to the CDC's threshold of 100 or more new cases of COVID-19 per 100,000 persons, the County remains at a High rate but is moving steadily downward toward a Substantial rate of community transmission of COVID-19.

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 Vaccinated<sup>1</sup> 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. Although beginning February 16, 2022, the State Public Health Officer recommends that fully vaccinated individuals continue indoor masking and requires masking indoors for unvaccinated individuals in indoor public settings and businesses, this Order continues to require indoor masking regardless of vaccination status.

In recognition of the recent and consistent decline of case and test positivity rates and hospitalizations, the Order establishes two voluntary verification options for establishments, businesses or other venues that are not subject to a federal or state requirement that requires everyone to wear a mask, to implement, so that persons who are up to date<sup>2</sup> with their COVID 19 vaccines or fully vaccinated may be unmasked

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<sup>1</sup> 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).

<sup>2</sup> Up to date means a person is fully vaccinated and has received a booster dose or is fully vaccinated but not yet booster-eligible.

while indoors within their facility. Persons who are not fully vaccinated must continue to wear a well-fitting mask while indoors. This is an interim step until Los Angeles County reaches a Moderate<sup>3</sup> rate of community transmission, and it permits establishments, businesses and venues which meet the specific criteria to allow fully vaccinated persons to remain unmasked while indoors. See Section 2(b) for criteria requirements.

Thankfully, since mid-January 2022, cases, test positivity, and hospitalization rates are consistently decreasing. However, 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. The Omicron variant, currently the predominant strain in Los Angeles County, spreads more easily than the original virus that causes COVID-19. In the absence of physical distancing requirements for the public and capacity limits for indoor 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, reduce the likelihood of new variants emerging, and to prevent future surges is for everyone who is eligible, including those who have recovered from COVID-19, to get fully vaccinated and be up to date on their vaccines as soon as possible. People at risk for severe illness with COVID-19, such as unvaccinated older adults and unvaccinated individuals with health risks, and members of their households, are strongly urged to get vaccinated as soon as they can. 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 February 23, 2022, and mainly aligns with the State Public Health Officer Orders, dated June 11, 2021, December 13 & 31, 2021, and February 7, 2022. Further, this Order incorporates by reference the July 26, 2021 and December 22, 2021 State Public Health Officer Orders, which require specific transmission prevention measures to be taken by Acute Health Care and Long-Term settings, High-Risk Congregate settings, and Other Health Care settings.

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<sup>3</sup> A Moderate level of transmission is defined by the CDC as 10-49.99 new cases of COVID-19 per 100,000 persons in the past 7 days.

The primary intent of this Order is to continue to help slow and decrease the High level of community transmission in Los Angeles County, so we can quickly reach a Moderate level of transmission. In addition, this Order is intended 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 February 19, 2022, 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, February 25, 2022 at 12:01 AM:

1. All persons living and working 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 diagnosed with COVID-19 must review and comply with the requirements for isolation provided in the Health Officer Public Health Emergency [Isolation Order](#). And those who were exposed to someone who tested positive for COVID-19 while the positive person was infectious must review and comply with the quarantine requirements provided in the Health Officer Public Health Emergency [Quarantine Order](#). Separate isolation and quarantine requirements are outlined in the [Coronavirus Disease 2019: Infection Prevention Guidance for Healthcare Personnel](#) and in [Appendix T1: Reopening Protocols for K-12 Schools for students in K-12 School Settings](#).

## 2. **Face Masks**

All individuals must follow the requirements included in this Order and the LACDPH Health Officer Order (dated February 23, 2022). 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 February 23, 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, and
  - 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, and Indoor Mega Events, among others). Operators of these settings outlined in Paragraph 2(a)(vii) may elect to meet the criteria for either of the two options in Paragraph 2(b) if they want to allow fully vaccinated persons to choose to be exempt from the indoor masking requirement.
- b. An establishment, business, or venue listed in Paragraph 2(a)(vii) may elect to fulfill and operationalize one of the requirements listed below to allow fully vaccinated persons, ages 5 and older, to choose to be exempt from the indoor masking requirement.
- i. **Option #1—To allow both fully vaccinated customers/visitors and fully vaccinated onsite workers to unmask while indoors, the operator must:**
    1. Verify proof of either [full vaccination against COVID-19](#) or a recent negative COVID-19 viral test result for all customers/visitors (age 5 years or older) AND all onsite workers, prior to entry. A customer's or visitor's test results must have been taken within 2 days of entry if a PCR test or 1 day if an antigen test. Onsite workers who are not fully vaccinated may submit a negative COVID-19 viral test result prior to work onsite, every 3 days. No cost testing must be made available to onsite workers.

- a. [Proof of full vaccination status](#) prior to entry requires review of:
    - i. Both the individual's photo identification; and
    - ii. The individual's 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 OR their COVID-19 digital vaccine record. The vaccine card or record must include the name of the person vaccinated, type of COVID-19 vaccine provided, and date each dose was administered.
  - b. [Proof of a recent negative COVID-19 viral test](#) prior to entry requires review of:
    - i. Both the individual's photo identification (for persons 18 years of age and older); and 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.
    - ii. Results from over the counter (OTC) self-test kits are not an acceptable form of proof for customers. Workplaces may accept a negative test result from COVID-19 OTC self-test kits for employees if used per Cal-OSHA requirements.
2. For persons who ARE fully vaccinated to be exempt from the indoor public setting masking requirement, persons who are not fully vaccinated or do not show proof of vaccination status must:
    - a. Provide a negative COVID-19 viral test result prior to entry or, if a worksite staff member, every 3 days (as above), AND
    - b. Continue to wear a well-fitting mask while indoors, except when actively eating or drinking.
- ii. **Option #2—To allow fully vaccinated customers and visitors to unmask while indoors, while all onsite workers, including contractors, remain masked, they must:**
    1. Verify proof of either [full vaccination against COVID-19](#) or a [recent negative COVID-19 viral test result](#) for all customers/visitors (age 5 years or older). All onsite workers remain masked while indoors. A customer or visitor test results must have been taken within 2 days of entry if a PCR test or 1 day if an antigen test.
    2. Adhere to the following regarding customers and masking:

- a. Only fully vaccinated customers and guests may be unmasked in the indoor setting.
  - b. Customers and guests that are not fully vaccinated must continue to wear a well-fitting mask while indoors (as required by the state) except when actively eating or drinking.
  - c. Onsite worksite staff, regardless of their vaccination status, are required to remain masked while indoors.
- iii. Establishments, businesses, and venues that elect to meet this criterion and permit fully vaccinated customers, guests and/or worksite staff to be unmasked, must offer, at no cost to all employees, a well-fitting respirator (e.g., N95/KN95/KF94) to maximize their protection in an unmasked indoor environment.
- iv. Individuals do not need to meet the vaccination/negative viral test verification requirements to enter the indoor portion of the facility in the following situations, as long as they wear a well-fitted mask:
  - 1. 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;
    - a. To get to the outdoor portion of the facility;
    - b. To use an indoor restroom, or
    - c. To order, pick-up, or pay for food or drink “to go.”
- c. 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.
- d. Individuals, businesses, venue operators or hosts of public indoor settings, venues, gatherings, and businesses must:
  - i. Require all patrons, customers and guests to wear masks when inside at all indoor settings, 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 settings to communicate the masking requirements for patrons, customers and guests.
- e. For clarity, patrons, customers or guests at public indoor settings, venues, gatherings, and public and private businesses 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 Indoor Mega Events, Performance Venues, Movie Theatres and Entertainment Venues, food and drink only be consumed, where possible, in designated dining areas. In addition, Indoor 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.
- f. 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.
- g. All businesses, venue operators or hosts must implement measures to clearly communicate to non-employees the masking requirements on their premises.
- h. No person can be prevented from wearing a mask as a condition of participation in an activity or entry into a business.
- i. 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>. 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.

- j. 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 February 23, 2022), and which requires masking of all individuals at indoor public settings and businesses, regardless of vaccination status, is such a mandate in Los Angeles County, and overrides the more permissive ETS regarding employee<sup>4</sup> masking.
  - i. 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.
  - ii. Healthcare personnel in any setting must comply with the State's *Guidance on Quarantine for Health Care Personnel (HCP) Exposed to SARS-CoV-2 and Return to Work for HCP with COVID-19*, as described in [AFL-21-08.7](#).

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 facepiece respirator or KN95. Employers shall provide these face coverings to their employees at no cost, and require these employees to wear such face coverings at all times while indoors at the worksite or facility. Given the contagiousness of the Omicron variant, this provision is to lower the risk of transmission to workers who work in close contact with others or with the public.

### **3. Mandatory Reporting by Businesses and Governmental Entities**

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<sup>4</sup> 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.

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](http://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 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 February 23, 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 February 23, 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 February 23, 2022) as [Appendix T2](#).
- c. **Mega Events (Outdoor and Indoor).** Beginning February 17, 2022, the attendance thresholds for Mega Events are returned to 1,000 attendees for Indoor Mega Events and to 10,000 attendees for Outdoor Mega Events. 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 status<sup>5</sup> or pre-entry negative COVID-19 viral test<sup>6</sup> 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 who are not fully vaccinated must wear a well-fitting mask while 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 public entry must verify the full vaccination status (see footnote 5) or pre-entry negative COVID-19 viral test (see footnote 6) 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

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<sup>5</sup> 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.

<sup>6</sup> 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.

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.
  
- 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](mailto: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 February 23, 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 February 23, 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.<sup>7</sup>
- g. Nightclubs and Lounges.** Effective October 7, 2021, nightclubs and lounges<sup>8</sup> 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,

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<sup>7</sup> 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.

<sup>8</sup> 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.

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 5).

- 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 continued increased risk of transmission at places where persons are indoors and unmasked, the City of Los 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](http://www.publichealth.lacounty.gov)) daily to identify any modifications to the LACDPH Order (dated February 23, 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.



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Eric Garcetti, MAYOR

Dated: February 24, 2022, at Los Angeles, California  
Time: 1:15 p.m.

Filed with the City Clerk  
Date: \_\_\_\_\_  
Time: \_\_\_\_\_  
By: \_\_\_\_\_