

RESPONDING TOGETHER AT WORK AND IN THE COMMUNITY
BEYOND THE BLUEPRINT FOR A SAFER ECONOMY, HIGH TRANSMISSION —
ENCOURAGING COVID-19 VACCINATION COVERAGE
WITH MODERATE RISK REDUCTION MEASURES

Issue Date: Friday, September 17, 2021
Effective as of 11:59pm on Thursday, October 07, 2021

Brief Highlights (Changes highlighted in yellow):

- Aligns with the State's September 8, 2021, definition of [Outdoor Mega Events](#).
- Beginning October 7, 2021, all attendees, ages 12 and over, at Outdoor Mega Events involving 10,000 or more persons must, prior to entry, show proof of full vaccination against COVID-19 or a pre-entry negative COVID-19 (diagnostic) test result. Self-attestation is not a permitted method for verification of vaccination or test result.
- Beginning October 7, 2021, requires bars, breweries, wineries, distilleries, nightclubs and lounges for indoor service and operations to verify the COVID-19 vaccination status of their patrons and employees.
- The County Health Officer strongly recommends that beginning October 7, 2021, that the operators of all restaurants and food facilities reserve and prioritize indoor seating/service for those who are fully vaccinated against COVID-19.

Please read this Order carefully.

SUMMARY OF THE ORDER: Since June 15, 2021 and after the retiring of the State's Blueprint for a Safer Economy, community transmission of COVID-19 in Los Angeles County has rapidly increased from Low to High. Based on continuously high daily new cases of COVID-19 to a level that indicates High community transmission of the COVID-19 virus, based on the federal Centers for Disease Control and Prevention (CDC) indicators, this Order continues to require masking by all, regardless of vaccination status, in an effort to slow the continuously high trends in and level of transmission of COVID-19 currently being seen in Los Angeles County.

This Order mainly aligns with the State Public Health Officer Order of June 11, 2021 and continues to place certain safety requirements on individuals consistent with federal and state rules. Further, this Order incorporates by reference the July 26, 2021 Order of the State Public Health Officer, which requires specific transmission prevention measures to be taken by Acute Health Care and Long-Term Care settings, High-Risk Congregate settings, and Other Health Care settings. In addition, this Order continues to require that all persons wear face masks while in indoor public settings and businesses, with limited exceptions, as a precautionary measure with this High level of community transmission. 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 People advises that "preliminary evidence suggests that fully vaccinated people who do become infected with the Delta variant can spread the virus to others" and therefore recommends that fully vaccinated people should wear a mask in indoor settings if they are in a [geographic] area where there is Substantial or High rates of COVID-19 community transmission. Moreover, the State Public Health Officer recommended universal masking,

regardless of vaccination status, in public indoor settings across California. The State Public Health Officer explained that universal indoor masking “adds an extra precautionary measure for all to reduce the transmission of COVID-19, especially in communities currently seeing the highest rates of transmission.”

In addition, this Order continues some requirements on businesses and government entities, such as a general requirement to report positive cases in the workplace and in schools, a requirement for signage, and a proof of vaccination or testing negative for COVID-19 requirement to admit people to attend Indoor and Outdoor Mega Events. Also, this Order includes best practice recommendations to reduce COVID-19 risk for individuals, businesses, and government entities.

COVID-19 daily cases and community transmission remain high; on September 16, 2021 alone, Los Angeles County reported 2,023 new cases. As of September 9, 2021, and although the test positivity rate and hospitalizations have declined or appear to be stable, Los Angeles County is also reporting a 7-day daily average case rate of 15.1 cases per 100,000 people. This indicates a continued and high risk of COVID-19 infection for those who are not or cannot be vaccinated against COVID-19. Based upon federal CDC indicators and thresholds, this means that community transmission of COVID-19 within the County of Los Angeles is now High, and highly likely to increase during the coming weeks as we start to move into the Winter months when respiratory viruses, like influenza and SARS-CoV-2, have spread more easily.

Even though more people in Los Angeles County and the region are vaccinated against the virus that causes COVID-19, there remains a risk that people may come into contact with others who may have COVID-19 when outside their residence. There are millions of people in Los Angeles County who are not yet vaccinated against COVID-19, including children under 12 years old who are not currently eligible to be vaccinated, and people who are immuno-compromised and may be particularly vulnerable to infection and disease. Most COVID-19 infections are caused by people who have no or mild symptoms of infection. Variants of the virus that spread more easily or cause more severe illness remain present and have increased in our County. 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. We have also seen surges in our County and in other parts of the country and the world, continuously impacting younger adults.

At this time, the current COVID-19 vaccines are effective at helping to reduce the risk of getting and spreading the infection and also of getting seriously ill even if a fully vaccinated person gets COVID-19, including against the current variants of the virus that causes COVID-19. Although no vaccine is 100 percent effective at preventing illness in vaccinated people, the currently authorized COVID-19 vaccines remain the best form of protection against COVID-19. Vaccinations remain widely available to those 12 years and older.

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 a COVID-19 infection, to get fully vaccinated 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 against COVID-19 as soon as they can if they have not already done so. Those who are not fully vaccinated are urged to adhere to both the required and recommended risk reduction measures.

We must remain vigilant against variants of the virus that causes COVID-19, especially given High levels of transmission here and in other parts of the world and due to the possibility of a new variant being identified for which the current COVID-19 vaccines may not be effective. Currently, the Delta variant remains predominant in Los Angeles County. The Delta variant is two times as contagious than early COVID-19 variants and continues to lead to increased infections. Further, recent data suggests that the immune response to COVID-19 vaccination might be reduced in some immunocompromised people, which increases their risk of serious health consequences from COVID-19 infection. It is, therefore, prudent to require continued indoor masking for all as an effective public health measure to reduce transmission between people.

This Order is issued to help slow and improve the High level of community transmission of COVID-19 here in Los Angeles County.

This Order's primary intent is to reduce the transmission risk of COVID-19 in the County for all, especially those who are not fully vaccinated and fully vaccinated but immunocompromised persons, in the absence of other protective measures, like physical distancing requirements and capacity limits. Accordingly, this Order allows Businesses, schools, and other activities to remain open while at the same time putting in place certain requirements designed to (1) limit transmission risk of COVID-19 and (2) contain any COVID-19 outbreaks.

This Order will be revised in the future, if needed, to reflect the State Executive Orders, California Division of Occupational Safety and Health's (better known as Cal/OSHA) worksite requirements, State Public Health Officer Orders and guidance, and CDC recommendations. Should local COVID-19 conditions warrant, the County Health Officer may, after consultation with the Board of Supervisors, issue Orders that are more restrictive than those of the State Public Health Officer.

This Order is effective within the County of Los Angeles Public Health Jurisdiction, defined as all cities and unincorporated areas within the County of Los Angeles, with the exception of the cities of Long Beach and Pasadena that must follow their respective City Health Officer orders and guidance. This Order is effective at 11:59pm on Thursday, October 07, 2021 and will continue until further notice.

**UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND
SAFETY CODE SECTIONS 101040, 101085, AND 120175,
THE COUNTY OF LOS ANGELES HEALTH OFFICER ORDERS:**

1. This Order supersedes the Health Officer's Prior Order.

2. This Order's intent is to continue to protect the community from COVID-19, in particular for those who are not or cannot be fully vaccinated¹ against COVID-19 in the County, in the absence of other protective measures and to increase vaccination rates to reduce spread of COVID-19 long-term, so that the whole community is safer and the COVID-19 pandemic can come to an end. Failure to comply with any of the Order's provisions constitutes an imminent threat and menace to public health, and a public nuisance, and is punishable by citation or fine.
 - a) This Order does not supersede any stricter limitation imposed by a local public entity within the County of Los Angeles Public Health Jurisdiction. The Order is consistent with existing authority that local health jurisdictions may implement or continue more restrictive public health measures if the jurisdiction's Local Health Officer determines that health conditions in that jurisdiction warrant such measures. Where a conflict exists between this Order and any State Public Health Officer Order related to controlling the spread of COVID-19 during this pandemic, the most restrictive provision controls, unless the County of Los Angeles is subject to a court order requiring it to act on, or enjoining it from enforcing, any part of this Order.
3. All persons living within the County of Los Angeles Public Health Jurisdiction should continue to 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.
4. **Face Masks.** All individuals must follow the requirements included in both the requirements of this Order and the July 28, 2021 Guidance for the Use of Face Coverings issued by the California Department of Public Health.
 - a) These requirements are aligned with 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:
 - i. Persons with a higher risk of infection (e.g., unvaccinated or immunocompromised persons),
 - ii. Persons with prolonged, cumulative exposures (e.g., workers), or
 - iii. 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.

- b) Masks are required to be worn by everyone, regardless of COVID-19 vaccination status, in the following settings:

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).



- 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,
 - 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.
- 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 a 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, 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.
- e) For clarity, patrons, customers, or guests at public indoor settings, venues, gatherings, and public and private businesses, and at 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.
 - ii. Showering or engaging in personal hygiene or a personal care service that requires the removal of the face mask;
 - 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 must be tested for COVID-19 at least twice per week, unless the employer is provided proof of the employee's full vaccination against COVID-19 or proof of recovery from laboratory-confirmed COVID-19 within the past 90 days against COVID-19.
- 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 County Health Officer Order, which requires masking of all individuals at indoor public settings and businesses, and Outdoor Mega-Events, regardless of vaccination status, is a such a mandate in Los Angeles County, and overrides the more permissive ETS regarding employee² masking.
- k) 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.

5. Mandatory Reporting by Businesses and Governmental Entities. Persons and businesses within the County of Los Angeles Public Health Jurisdiction must continue to follow the COVID-19 infection control protocols and guidance provided by the County Department of Public Health 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

² 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.

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 within a span of 14 days, the employer must report this outbreak to the 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 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).

6. **LACDPH Best Practice Guidance.** All individuals and Businesses are strongly urged to follow the LACDPH Best Practice Guidance, containing health and safety recommendations for COVID-19.
7. **Considerations for Persons at Higher Risk for Negative Health Outcomes:** At this time, people at risk for severe illness or death from 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.
8. **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.
9. **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.
10. **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 measure to protect particularly vulnerable populations. The Order is found here: [State Public Health Officer Order issued July 26, 2021](#)
11. **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 Los Angeles County Department of Public Health Reopening Protocol for Day Camps, attached to this Order 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 Los Angeles County Department of Public Health Reopening Protocols for K-12 Schools, attached to this Order as **Appendix T1**, and must follow the Protocol for COVID-19 Exposure Management Plan in K-12 Schools, attached to this Order as **Appendix T2**.
- c) **Mega Events (Outdoor and Indoor).** Mega Events are characterized by large crowds greater than 1,000 indoor or 10,000 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.
 - i. **Indoor Mega Events:** Indoor Mega Events where 1,000 or more people are in attendance, remain open to the public. In addition to the public health recommendations, Indoor Mega Event operators must verify the full vaccination status³ or pre-entry negative COVID-19 viral test⁴ result of all attendees. Attendees must wear a face covering while indoors at an Indoor Mega Event. 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. For Indoor Mega Events taking place on or after September 20, 2021, self-attestation can no longer be used as a method to verify an attendee's status as fully vaccinated or as proof of a negative COVID-19 test result.
 - ii. **Outdoor Mega Events:** Outdoor Mega Events that attract crowds of over 10,000 persons, remain open to the public. Beginning October 7, 2021, Outdoor Mega Event operators of events that are ticketed or held in a defined space with controlled points of entry must verify the full vaccination status (see

³ 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.

⁴ Pre-entry negative testing is testing that must be conducted within 72 hours before event start time (both PCR and antigen are acceptable). Results of the test must be available prior to entry into the event or venue. The following are acceptable as proof of a negative COVID-19 viral test result: 1) A photo identification of the attendee 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 information should include person's name, type of test performed, and negative test result (date of test must be within prior 72 hours).

footnote 3) or pre-entry negative COVID-19 viral test (see footnote 4) result of all attendees, ages 12 and older, prior to entry to the event. 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 County 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 12 and older, either be fully vaccinated against COVID-19 or obtain a negative COVID-19 viral test prior to attending the event. Operators are to make face masks available for all attendees.

iii. **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 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 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 Los Angeles County Public Health Protocols for Overnight Organized / Children's Camps, attached to this Order 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. This 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 Los Angeles County Public Health Protocol for Organized Youth Sports, effective September 1, 2021, attached to this Order 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 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 paragraph 11.i for further clarification. Bars, breweries, wineries, and distilleries must comply with the Guidance for Verifying Proof of COVID-19 Vaccination attached to this Order.⁵ In addition, by November 4, 2021, all on-site employees must provide their employer with proof of full vaccination against COVID-19.⁶
- g) **Nightclubs and Lounges.** Effective October 7, 2021, nightclubs and lounges⁷ 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

⁶ 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:
- a. 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.
- b. 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.

⁷ 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.

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 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 increased risk of transmission at places where persons are indoors and unmasked, the County Health Officer strongly recommends 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 paragraphs 11.i.a through 11.i.c 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:
 - a. 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.
 - b. 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.
 - c. 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.”

REASONS FOR THE ORDER

12. This Order is based upon the following determinations: continued evidence of sustained and High community transmission of COVID-19 within the County; documented asymptomatic transmission; scientific evidence and best practices regarding the most effective approaches to slow the transmission of communicable diseases generally and COVID-19 specifically; evidence that millions of people in the County population continue to be at risk for infection with serious health complications, including hospitalizations and death from COVID-19, due to age, pre-existing health conditions, being unvaccinated or not eligible for vaccination, and the increasing presence of more infectious variants of the virus that causes COVID-19 and which have been shown to cause more severe disease being present in the County; preliminary evidence that suggests that fully vaccinated people who do become infected with the Delta variant can spread the virus to others; and further evidence that other County residents, including younger and otherwise healthy people, are also at risk for serious negative health outcomes and for transmitting the virus to others. The Order’s intent is to continue to reduce

the risk of COVID-19 infection for all, especially those who are not or cannot be fully vaccinated against COVID-19 in the County.

13. Existing community transmission of COVID-19 in Los Angeles County **remains High** and continues to present a **high** risk of infection and harm to the health of those who are not or cannot be vaccinated against COVID-19. COVID-19 vaccinations are widely available to those 12 years and older, but as of August 8, 2021, nearly 2.5 million eligible people age 12 years and older in our community have not received a COVID-19 vaccination and remain susceptible to infection, in addition to the approximately 1.4 million children under the age of 12 years who are not currently eligible to receive a COVID-19 vaccination. New variants of the virus that may spread more easily or cause more severe illness are increasingly present in our county and remain a high risk for those who are not vaccinated against COVID-19 in the absence of other community mitigation measures, like physical distancing requirements and capacity limits in indoor and outdoor settings. As of, **September 16, 2021**, there have been at least **1,439,011** cases of COVID-19 and **25,775** deaths reported in Los Angeles County. Increased interactions among members of the public have resulted in an increased number of daily new cases. As of **September 9, 2021**, the 7-day average daily case rate **is now at 15.1** cases per 100,000 people, indicating High community transmission, in the absence of capacity limits and physical distancing requirements across sectors in both indoor and outdoor settings. Making the risk of community transmission worse, some individuals who contract the COVID-19 virus have no symptoms or have only mild symptoms, and so are unaware that they carry the virus and are transmitting it to others. Because even people without symptoms can transmit the virus, and because new evidence shows the infection is now more easily spread, universal indoor masking is a risk reduction measure that is proven to reduce the risk of transmitting the virus.

14. Epidemiologic evidence demonstrates that the rate of community transmission, hospitalizations and testing positivity rates have all drastically increased since June 15, 2021. Although more than **11,989,705** vaccine doses have been administered and more than **5,899,901** residents ages 12 and older are fully vaccinated against COVID-19 in Los Angeles County, COVID-19 infection remains a significant health hazard to all residents.

In line with the State Public Health Officer, the Health Officer will continue to monitor scientific evidence and epidemiological data within the County.

- 15.** The Health Officer will continue monitoring epidemiological data to assess the impact of lifting restrictions and fully re-opening sectors. Those Indicators include, but are not limited to:
- a) The number of new cases, hospitalizations, and deaths among residents in areas in the lowest Healthy Places Index (HPI) quartile and by race/ethnicity.
 - b) The COVID-19 case rate.
 - c) The percentage of COVID-19 tests reported that are positive.
 - d) The availability of COVID-19 vaccines and the percentage of eligible County residents vaccinated against COVID-19.
 - e) The number of fully vaccinated people who get sick, are hospitalized, or die from COVID-19.

ADDITIONAL TERMS

16. The County shall promptly provide copies of this Order by: (a) posting it on the Los Angeles Department of Public Health's website (www.publichealth.lacounty.gov), (b) posting it at the Kenneth Hahn Hall of Administration located at 500 West Temple Street, Los Angeles, CA 90012, (c) providing it to any member of the public requesting a copy, and (d) issuing a press release to publicize the Order throughout the County.
- a) The owner, manager, or operator of any facility that is likely to be impacted by this Order is strongly encouraged to post a copy of this Order onsite and download, review and implement all applicable Best Practice Guidance.
- b) 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 this Order and the Best Practice Guidance and continue to implement these important and necessary infection control protocols.
17. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.
18. This Order incorporates by reference, the March 4, 2020 Proclamation of a State of Emergency issued by Governor Gavin Newsom and the March 4, 2020 declarations of a local and public health emergency issued by the Los Angeles County Board of Supervisors and Los Angeles County Health Officer, respectively, and as they may be supplemented.
19. This Order may be revised in the future as the State Public Health Officer amends its guidance to reflect evolving public health conditions and recommendations issued by the federal CDC and other public health authorities. Should local COVID-19 conditions warrant, the Health Officer may, after consultation with the Board of Supervisors, issue orders that are more restrictive than the guidance and orders issued by the State Public Health Officer.
20. This Order is consistent with the provisions in the Governor's Executive Order N-60-20 and the State Public Health Officer's May 7, 2020 Order, that local health jurisdictions may implement or continue more restrictive public health measures in the jurisdiction if the local health officer believes conditions in that jurisdiction warrant them. Where a conflict exists between this Order and any state public health order related to controlling the spread of COVID-19 during this pandemic, the most restrictive provision controls. Consistent with California Health and Safety Code section 131080, except where the State Health Officer may issue an order expressly directed at this Order or a provision of this Order and based upon a finding that a provision of this Order constitutes a menace to the public health, any more restrictive measures in this Order may continue to apply and control in the County of Los Angeles Public Health Jurisdiction.

**COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC HEALTH
ORDER OF THE HEALTH OFFICER**



21. Pursuant to Sections 26602 and 41601 of the California Government Code and Section 101029 of the California Health and Safety Code, the Health Officer requests that the Sheriff and all chiefs of police in all cities located in the Los Angeles County Public Health Jurisdiction ensure compliance with and enforcement of this Order. The violation of any provision of this Order constitutes an imminent threat and menace to public health, constitutes a public nuisance, and is punishable by fine, imprisonment or both.
22. This Order is issued pursuant to Health and Safety Code sections 101040, 120175, and 120295.
23. This Order shall become effective at 11:59pm on **Thursday, October 07, 2021** and will continue to be until it is revised, rescinded, superseded, or amended in writing by the Health Officer.

IT IS SO ORDERED:

9/17/2021

Muntu Davis, M.D., M.P.H.

Issue Date

Health Officer,
County of Los Angeles

Appendices At-A-Glance

Businesses and customers should continue reviewing best practice documents and sector-specific protocol for designated areas on a regular basis to ensure they are complying with the latest health protection and prevention measures.

All DPH protocol and best practice documents are available at:

<http://publichealth.lacounty.gov/media/Coronavirus/index.htm>

- Appendix K:** Reopening Protocol for Day Camps [Revised 6/23/2021]
- Appendix K-1:** Reopening Protocol for Overnight Organized/ Children's Camps [Revised 6/14/2021]
- Appendix S:** Protocol for Organized Youth Sports [Revised 8/30/2021]
- Appendix T1:** Reopening Protocols for K-12 Schools [Revised 8/12/2021]
- Appendix T2:** Protocol for COVID-19 Exposure Management Plan in K-12 Schools [Revised 9/8/2021]