



ERIC GARCETTI
MAYOR

Public Order Under City of Los Angeles Emergency Authority

Issue Date: August 24, 2021

Subject: SAFER L.A.

On June 15, 2021, California fully reopened the economy, and the State terminated the restrictions on businesses and activities in its Blueprint for a Safer Economy. Epidemiologic evidence demonstrates that since June 15, 2021, the rate of community transmission of COVID-19 here in Los Angeles remains high. As of August 20, 2021, Los Angeles County reported 3,361 new cases. As of August 19, 2021, the County is reporting a 7-day daily average case rate of 28.1 cases per 100,000 people without a 7-day lag. In addition, the test positivity rate and hospitalizations have also dramatically increased. Based upon federal Centers for Disease Control and Prevention (CDC) indicators and thresholds, this means that community transmission of COVID-19 within Los Angeles County is now considered High and highly likely to increase during the coming days and weeks.

Given this High level of community transmission, on July 28, 2021, the CDC and the California Department of Public Health each issued new guidance validating universal indoor masking requirements as a precautionary measure. 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. In addition, the State Public Health Officer recommends universal masking regardless of vaccination status, in public indoor settings across California.

Here in Los Angeles, COVID-19 remains a concern to public health. There are still millions of people in the County who are not yet fully vaccinated, including children under 12 years old, who are not currently eligible. Furthermore, variants of the virus that

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).

may spread more easily or cause more severe illness remain present and have increased in our County. Currently, the Delta variant is predominant in Los Angeles County. 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.

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 persons, this Order aligns with the County of Los Angeles Department of Public (LACDPH) Health Officer Order, dated August 23, 2021, and mainly aligns with the State Public Health Officer Order, dated June 11, 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 improve the High level of community transmission here in Los Angeles County, 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 August 5, 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 Tuesday, August 24, 2021 at 11:59 PM:

1. All persons living within the City of Los Angeles 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.

2. Face Masks

All individuals must follow the requirements included in this Order, the LACDPH Health Officer Order (dated August 23, 2021) and the July 28, 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, 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,
 - 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, restaurants, 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: 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 indoors, or while actively eating or drinking at an Outdoor Mega Event.
 - 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 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.

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 August 23, 2021), 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 employee² 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.

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 Los Angeles 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 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 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 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).

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.

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 or persons 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 August 23, 2021) 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 August 23, 2021) 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 August 23, 2021) 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 do not include venues such as shopping malls, museums or amusement parks that are open to public circulation as part of their regular operations, except to the extent that such venues host qualifying events. 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 (example: conventions/ conferences/ expos/ sporting events and concerts) where 1,000 or more people are in attendance remain open to the public. In addition to the general 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

³ The following are acceptable as proof of full vaccination status: 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. Businesses and venue operators may also utilize self-attestation at point of registration, during ticket purchase or on the day of the event prior to entry into the venue.

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: 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 the person's name, type of test performed, and negative test result (date of test must be within prior 72 hours). Businesses and venue operators may also utilize self-attestation at point of registration, during ticket purchase or on the day of the event prior to entry into the venue.

the proof of pre-entry 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 (example: music or food festivals/car shows/large endurance events and marathons/ parades/ sporting events and concerts) that attract crowds of over 10,000 persons, remain open to the public. In addition to the general public health recommendations, it is strongly recommended that Outdoor Mega Event operators verify the full vaccination status or pre-entry negative COVID-19 viral test result for all attendees. It is not recommended that Outdoor Mega Event operators use self-attestation to verify status of an attendee as fully vaccinated nor as proof of a negative COVID-19 test result. 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 that all persons must wear a face mask while in attendance and the strong State and County health officer recommendation that all attendees 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. For Outdoor Mega Events, 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 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 August 23, 2021) 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 August 23, 2021) as [Appendix S](#).

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 wear a face covering in accordance with Section 2 "Face Masks" and Section 5(c) "Mega Events (Outdoor and Indoor)" of this Order.

10. Because guidance may change, the owner, manager, or operator of any facility that is subject to this Order is ordered to consult the Los Angeles County Department of Public Health's website (www.publichealth.lacounty.gov) daily to

identify any modifications to the Order and is required to comply with any updates until the Order is terminated.

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: August 24, 2021 at Los Angeles, California

Time: 3:30pm

Filed with the City Clerk

Date: _____

Time: _____

By: _____