

**CITY OF PASADENA HEALTH OFFICER ORDER
FOR THE CONTROL OF COVID-19**

**UPDATED ORDER REVISING DEFINITION OF MEGA EVENT AND
REQUIRING VACCINATION OR PRE-ENTRY NEGATIVE TEST AT OUTDOOR
MEGA EVENTS AND
REQUIRING VACCINATIONS FOR ENTRY AT BARS, BREWERIES,
NIGHTCLUBS, AND LOUNGES**

**THIS ORDER AMENDS AND SUPERSEDES
HEALTH OFFICER ORDER ISSUED SEPTEMBER 27,
UPDATED OCTOBER 7, 2021**

This Order Issued: October 21, 2021

This Order is in effect as of October 21, 2021, 12:01 AM until rescinded in writing by the Health Officer.

Please read this Order carefully. Violation of or failure to comply with this Order is a crime punishable by fine, imprisonment, or both. (California Health and Safety Code §120295.)

SUMMARY OF THE ORDER: After June 15, 2021, when most restrictions from the State of California’s Blueprint for a Safer Economy were lifted, the number of new COVID-19 cases per 100,000 persons in the past 7 days in the City of Pasadena increased rapidly to “High” and “Substantial” levels of community transmission in the US Centers for Disease Control and Prevention’s (CDC) Indicators for [Levels of Community Transmission](#). The testing positivity rate in Pasadena has also risen to the “High” and “Substantial” levels. In Los Angeles County where a large proportion of the people who work, visit, or patronize businesses in Pasadena reside, the rate of COVID-19 cases has been continuously in the “High” and “Substantial” transmission levels, contributing to risk of transmission in this City. Hospitalizations from COVID-19 both locally and throughout Los Angeles County are also at a higher level than in June.

In addition, the significantly more transmissible Delta variant of the SARS-CoV-2 virus has become the predominant strain in the US and California, and has been confirmed in Pasadena residents. The COVID-19 vaccines currently authorized in the US have been shown to be highly safe and effective at providing protection to individuals and communities, and are recommended by the CDC for all populations for whom the vaccine is authorized by the US Food and Drug Administration. Recent real-world evidence supports research findings indicating authorized vaccines are highly protective against hospitalization and death from infection with the Delta variant. 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.

Mega Events are considered higher risk for COVID-19 virus transmission because: attendees spend extensive periods of time physically close to large numbers of people they do not usually interact with; the frequency and total duration of close contact between attendees is increased, thereby increasing the risk that respiratory particles will be transmitted between people; Mega Events draw from beyond the nearby community and will often draw attendees from other states and countries that may have higher rates of cases of COVID-19; and effective contact tracing is difficult given the potential uncontrolled mixing between high numbers of attendees from outside the local public health jurisdictions. The California Department of Public Health (CDPH) revised the definition of Indoor Mega Events on August 18, 2021 as events with crowds of greater than 1,000 “people”, and has also subsequently revised the definition of Outdoor Mega Events. Indoor settings such as bars, breweries, nightclubs and lounges also pose greater risk for COVID-19 transmission because of mixing of individuals, lack of social distancing, inability to mask while drinking, and crowded spaces.

This Order revises the definition of a Mega Event in keeping with the CDPH Order, and directs that all patrons of Outdoor Mega Events show proof of full vaccination or proof of pre-entry negative COVID-19 (diagnostic) test result.

This Order further directs that owners/operators of bars and breweries verify that all patrons over the age of 12 years are fully vaccinated to be served indoors and employees are fully vaccinated; and nightclubs and lounges open for indoor service and operation verify that all patrons are fully vaccinated and employees are fully vaccinated.

UNDER THE AUTHORITY OF THE CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 120175 et seq., AND THE PASADENA MUNICIPAL CODE SECTION 8.04.010, THE CITY OF PASADENA HEALTH OFFICER ORDERS:

1. **Mega Events Definition:** [Mega Events](#) are indoor events with 1,000 or more “people” (including, but not limited to, patrons, organizers, operators, participants, staff and volunteers), and outdoor events with 10,000 or more “people”, as defined by CDPH. Mega Events include, but are not limited to:
 - a. Conventions, conferences and expos
 - b. Concerts, shows and nightclubs
 - c. Sporting events
 - d. Live events and entertainment
 - e. Fairs, festivals and parades
 - f. Theme parks, amusement parks and water parks
 - g. Large private events or gatherings
 - h. Races, marathons and endurance events
 - i. Car shows

2. **Outdoor Mega Events:** Beginning October 7, 2021, Outdoor Mega Event organizers/operators of events that are ticketed or held in a defined space must verify the full vaccination status or Pre-Entry Negative COVID-19 Viral Test result of all patrons, ages 12 years and older, as a condition of entry. Beginning November 1, 2021, operators are required to cross-check proof of full vaccination or negative COVID-19 viral test result against a photo identification (ID) for those patrons who are 18 years of age or older. Patrons age 12 to 17 years must provide proof of full vaccination or a Pre-Entry Negative COVID-19 Viral Test result, but are not required to provide a photo ID. This requirement may be expanded to include staff, volunteers, organizers, participants and/or other attendees of any particular Outdoor Mega Event as deemed necessary by the Health Officer and as set forth in any protocols established for the particular Outdoor Mega Event. Outdoor Mega Event organizers must prominently place information on all communications, including reservation and ticketing systems, to ensure patrons are aware of the proof of pre-entry testing or full vaccination status requirement, [requirement for everyone to wear a mask](#) while in attendance, and acceptable modes of verification. Self-attestation cannot be used as a method to verify a patron's status as fully vaccinated or as proof of a negative COVID-19 test result. Refer to the [PPHD Guidance for Verifying Proof of COVID-19 Vaccination](#) and [PPHD Guidance for Verifying Proof of a Negative COVID-19 Test](#). Operators must make face masks available for all attendees who do not have one.

3. **Bars and Breweries:** Bars that have a low-risk (Risk Category 1) food facility health permit, and breweries with a #1 or #23 state alcohol license that do not possess or are not required to have a public health permit to operate, must require patrons who are 12 years and older to provide proof of COVID-19 vaccination status for entry for indoor service.
 - a. Between October 7 and November 3, 2021, patrons who are 12 years and older must provide proof of at least one dose of a COVID-19 vaccination to obtain entry for service indoors.
 - b. Beginning November 4, 2021, all bars and breweries must require patrons who are 12 years or older to provide proof of full COVID-19 vaccination for entry for service indoors.
 - c. Patrons who do not provide proof of full COVID-19 vaccination may be served in the outdoor seating area of the facility.

All bars and breweries must comply with the [PPHD Guidance for Verifying Proof of COVID-19 Vaccination](#). In addition, by November 4, 2021, all on-site employees of bars and breweries must provide their employer with proof of full COVID-19 vaccination.

4. **Nightclubs and Lounges:** Nightclubs and lounges that are open only to persons 18 years or older or 21 years of age or older must require patrons and on-site employees to provide proof of COVID-19 vaccination for entry for indoor service:

- a. Between October 7 and November 3, 2021, all patrons must provide proof of at least one dose of a COVID-19 vaccination to obtain entry.
- b. Beginning November 4, 2021, all nightclubs and lounges must require patrons to provide proof of full COVID-19 vaccination for entry.
- c. Patrons who do not provide proof of full COVID-19 vaccination may be served in the outdoor seating area of the facility.

All nightclubs and lounges must comply with the [PPHD Guidance for Verifying Proof of COVID-19 Vaccination](#). In addition, by November 4, 2021, all on-site employees of nightclubs and lounges must provide their employer with proof of full COVID-19 vaccination.

“Nightclub” is defined as 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.

“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.

5. Individuals who do not provide proof of partial or full vaccination at bars, breweries, 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 beverages to go.
6. **Restaurants:** The Health Officer strongly recommends and encourages operators of restaurants to reserve indoor seating and service for patrons who provide proof of full COVID-19 vaccination. Patrons who cannot provide proof of full COVID-19 vaccination should be served in outdoor dining areas where the risk of exposure to the virus that causes COVID-19 is likely reduced between separate groups of diners.
7. **Fully Vaccinated Definition:** See current CDPH guidance for [Fully Vaccinated Persons](#) for definitions, acceptable vaccines, and updates on additional vaccines as they are approved. For verification methods see section titled Options for Providing Proof of Vaccination in the CDPH [Vaccine Record Guidelines & Standards](#) and the [PPHD Guidance for Verifying Proof of COVID-19 Vaccination](#). Individuals must provide a photo identification with their vaccine document.

8. **Pre-Entry Negative Testing Definition:** Testing 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. For verification see current CDPH [Updated Testing Guidance](#) for a list of acceptable methods of proof of negative COVID-19 test result and the [PPHD Guidance for Verifying Proof of a Negative COVID-19 Test](#). Individuals must provide a photo identification with their negative test result.

9. On-site employees of bars, breweries, 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 a Qualifying Medical Reason.
 - a. To be eligible for a Qualifying Medical Reasons exemption, the individual must provide to their employer a written statement signed by a physician, (M.D. or D.O.), nurse practitioner (N.P.), or physician assistant (P.A.) 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). In this context, (1) “physician” refers specifically to an individual having a valid certificate or license to practice medicine and surgery issued by the Medical Board of California or the Osteopathic Medical Board of California; (2) “nurse practitioner” refers specifically to registered nurses who have a valid license to practice as a nurse practitioner (N.P.) by the California Board of Registered Nursing; and (3) “physician assistant” refers specifically to an individual having a valid license to practice from the California Physician Assistant Board. See the most updated version of the CDC’s guidance [Interim Clinical Considerations for Use of COVID-19 Vaccines](#).
 - b. If the operator of a bar, brewery, nightclub or lounge deems its on-site employee to have met the requirements of an exemption, the unvaccinated exempt employee must meet both of the following requirements to work in such facility:
 - i. 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 US Food and Drug Administration or is operating per the Laboratory Developed Test requirements by the US Centers for Medicare and Medicaid Services.
 - ii. Wear a surgical mask or higher-level respirator approved by the National Institute of Occupational Safety and Health (NIOSH), such as an N95 respirator, at all times while in the bar, brewery, nightclub or lounge.

10. Venues or operators should make surgical masks or higher-level respirator available

to attendees who do not have one.

11. All previous Health Officer Orders, including the July 21, 2021 [Order for Wearing of Face Masks in Public Settings](#) and August 18, 2021 [Order for Wearing of Face Masks at Outdoor Mega-Events](#), remain in full force and effect except as modified by this Order.
12. Unvaccinated as well as fully vaccinated people should continue to follow CDC guidance for [unvaccinated people](#) and for [fully vaccinated people](#) to protect themselves and others, including wearing a well-fitted [mask](#), [physical distancing](#) (at least 6 feet), avoiding crowds, avoiding poorly ventilated spaces, covering coughs and sneezes, [washing hands](#) often, and following any applicable workplace, school, or business sector guidance or requirements including the [Cal/OSHA Emergency Temporary Standards](#). Fully vaccinated people should still watch for [symptoms](#) of COVID-19, especially following an exposure to someone with suspected or confirmed COVID-19. If symptoms develop, all people – regardless of vaccination status – should isolate and be clinically evaluated for COVID-19, including SARS-CoV-2 testing. Anyone testing positive for SARS-CoV-2, regardless of vaccination status, must follow the [Health Officer Order for Isolation](#).
13. The CDPH has declared that the Q&A and Industry Guidance set forth on the CDPH COVID-19 website have the same force and effect as other State Public Health Officer directives. By way of this Order, the Health Officer adopts such directives as orders as well.
14. Protocols established by the Health Officer to implement health orders issued by the State Public Health Officer or the City of Pasadena Health Officer have the same force and effect as other Orders issued by the Health Officer. To the extent any health order of the Health Officer, including any protocols established to implement any health order, is more restrictive than any order or directive issued by the State Public Health Officer, the health order of the Health Officer shall control.
15. This Order applies to all persons within the City of Pasadena under the Health Officer's jurisdiction.
16. Violation of this Order is a misdemeanor punishable by imprisonment, fine or both under California Health and Safety Code Section 120295. This Order will be enforced by the City of Pasadena Police Department, City Attorney/City Prosecutor's Office, and/or any other agency designated by the Pasadena City Manager for enforcement.
17. If any subsection, sentence, clause, phrase, or word of this Order (or any other prior 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 of this Order (or any other prior Order).

IT IS SO ORDERED:



Ying-Ying Goh, MD, MSHS
Health Officer, City of Pasadena

Date: 10/21/2021